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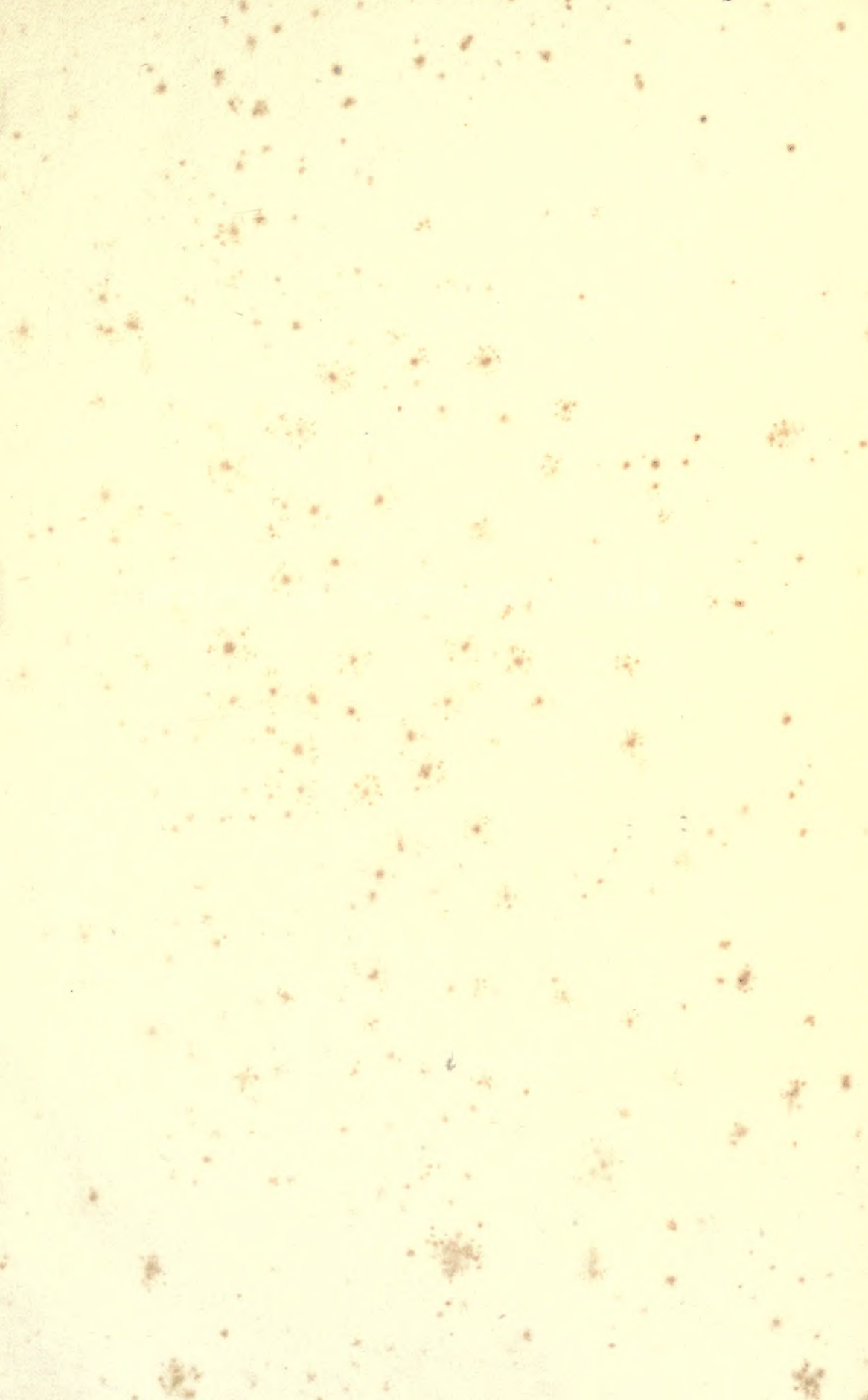


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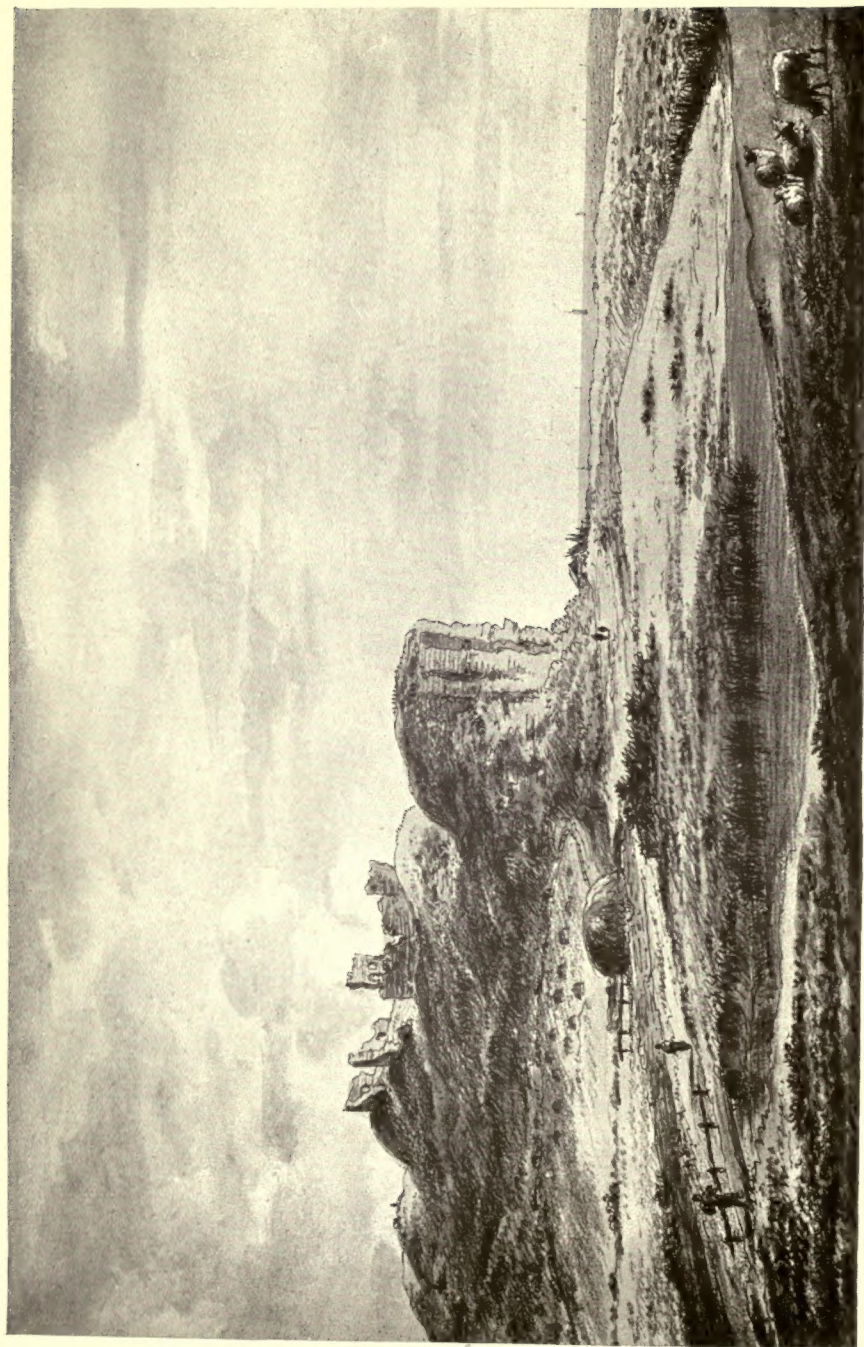


**HISTORY OF HASTINGS CASTLE**









#### HASTINGS CASTLE.

VIEW (*circa* 1750) FROM THE WEST, showing projecting portion of Cliff called the "Gun Garden," now destroyed, and the remains of the ancient Harbour in the foreground. From the original tinted drawing in the Author's possession.

*Vol. I. Frontispiece.*



# HISTORY OF HASTINGS CASTLE

The Castlery, Rape and Battle of Hastings, to which  
is added a History of the Collegiate Church  
within the Castle, and its Prebends

By

CHARLES DAWSON

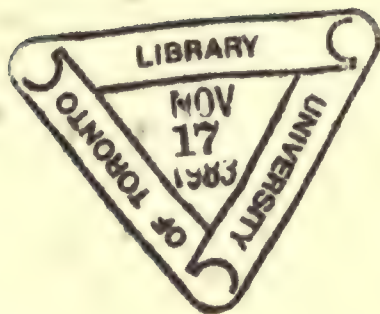
*Fellow of the Society of Antiquaries and of the Geological Society of London, etc.*

VOLUME I

CONSTABLE & CO. LTD.

10, ORANGE STREET, LEICESTER SQUARE, W.C.

1909



BUTLER & TANNER,  
THE SELWOOD PRINTING WORKS,  
FROME, AND LONDON.

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## Preface



CONCERNING Hastings Castle a recently-published Hastings guide-book informs its readers that "one of the charms of this venerable ruin is, that no authentic record of its history exists." It is, therefore, with some diffidence that the author intrudes upon this state of bliss by presenting to the public a connected series of records, unrivalled in local history, relating to this castle.

The lack of special knowledge and opportunities under which the majority of students of history labour renders it impossible for them to study our ancient chronicles and records in their original form. The extended versions of the records, even when freed of caligraphic difficulties and contractions, do not always bear in their classical construction the mediæval sense. The author believes that average readers will prefer to read their ancient records and chronicles, in the same way as most persons read their Bibles, that is, by means of a translation, and he has provided accordingly. For the rest, it is hoped that the references given to the original documents will prove sufficient.

The plan of the present work at the outset was an ambitious one, namely, to take as a type an English Castle and Barony, the details of the history of which were almost unknown; to search out its records in the British and foreign depositories, public and private; and finally to arrange them in chronological order, interspersed with extracts from contemporary chronicles, in such a manner that the whole collection may tell its own story. Indeed, its author hopes that it may do something more, by disclosing much of the military and fiscal working of a great castle and barony under feudal conditions; and by following the vicissitudes of its various lords and by the introduction of pertinent matters of contemporary interest, he hopes to throw a strong side-light on the history of England itself.

The history of the Collegiate Church (or "Royal Free Chapel") founded within the walls of the Castle forms another item of interest; and, as the documentary evidence is most complete, the author is enabled to introduce ecclesiastical matters of great and unusual interest, both generally and with special regard to the history of this class of foundation.

An account of the Battle of Hastings (one of the "Fifteen Decisive Battles of the World") is inseparable from the castle which formed its base. In view of what has already been written concerning the battle (educational though such criticisms may be), the author believes that the account will prove clearer and fresher by providing translations of the extracts concerning it, from all the known contemporary and other important chronicles, grouping them in parallel columns



## Preface

under the heads of the leading incidents of the battle to which they refer. Where previous translations have been adopted, care has been taken to check them by the aid of the best evidence available.

The aim of the whole work is thus to present to the reader the most reliable data obtainable, retaining, to a great extent, all the vigour and beauty of the original draftsmanship, freed from and untrammelled by former conclusions, and in such a manner that he may be enabled to picture for himself the true history, as nearly as possible, at first hand.

The History of Hastings as a *Cinque Port* is in many respects so distinct from the history of the Castle and Rape, that the subject receives only passing references. The author is in possession of numerous local records relating to the former subject, and hopes to deal with it specifically on another occasion. In the meantime, those interested should refer to the short *History of the Cinque Ports* by the late Prof. Montague Burrows (Chichele Professor of Modern History, in the University of Oxford), in the revision of which the present author was concerned for the edition of 1903.

In the present work the author has endeavoured to avoid, as far as possible, matters of controversy, and it is only here, in mentioning the former literature relating to the Castle, that he points out certain matters which require refutation because they appear to have taken an undue hold upon the public mind.

William Prynne, in his history of the Papal Usurpations (entitled *An Exact History of the Pope's Intolerable Usurpations Upon the Liberties of the King and Subjects of England and Ireland*), Volume III., 1670, quoted largely from the public records (then preserved in the Tower of London) when dealing with the controversy between the Bishop of Chichester and the King's Clerks respecting the jurisdiction of the former over the Royal Free Chapels.

Of early published accounts relating to the Castle that of Francis Grose (*Antiquities of England and Wales*, 1773-87, Volume III.) may be considered the first important printed topographical reference, and it has been much copied and quoted by various local writers. The quotation referred to by Grose respecting Arviragus, of whom it is said that when he threw off the Roman yoke he fortified certain places including Hastings, turns out to rest historically upon the sole authority of the writer of the Chronicle of the Dover Monastery of St. Martin, a production of the late thirteenth century, and this statement is probably therefore mere guess-work of little historical weight.

The next account of any importance is by William Herbert who, in the year 1824, wrote the letter-press of Moss's *History of Hastings*, but without acknowledgment by the ostensible writer. This must be regarded as the first serious attempt to unravel the history of the Castle.

The Reverend Prebendary Mackenzie E. C. Walcott, B.D. (*Guide to the South Coast of England*, Stanford's, 1859), is responsible for the publication of two absurd "traditions," as he calls them, relating to the Castle: one, that the first tourney in England was held there in the time of William I.; and another story ending with a conflagration at the Castle. These tales bear internal evidence of having been composed since the date of the excavations at the Castle in the year 1824, and would not have been mentioned here, had not some writers

## Preface

(including Mr. T. H. Cole, M.A., in his *Antiquities of Hastings*) given undue prominence to them.

The Reverend E. Turner, M.A., compiled a very creditable summary of the history available to him of the Castle and Collegiate Church in the year 1861, which was published in Volume XIII. of the *Sussex Archaeological Collections*, page 132.

Mr. T. H. Cole, above mentioned, had few opportunities of original research, but did useful work in collating the works of some former writers and in offering from his stock of local knowledge suggestions upon them. Lack of knowledge of "Record Latin" led him (and his copyists) into confusion concerning the Royal Free Chapel, causing him to believe that there were *two* chapels, one of which he knew *within* the castle-walls, and a more ancient one which he thought existed *below* the present site. The assumed evidence for the existence of this last-mentioned chapel arose from his mistranslation in the records of the words "*infra claustrum*," which he read as *beneath* the fortification; but the word *infra*, in Latin of the Records, was nearly always used in the sense of *within* and not *below*, for which the Latin word *sub* was commonly used.

Mr. G. T. Clarke (*Mediæval Military Architecture of England*, 1884, republished from *The Builder*) wrote what is, in many respects, an excellent if brief description of the architectural details of the Castle and Chapel; though, as he was wont, he identified the Castle Mount with an Anglo-Saxon keep, which is a matter open to the gravest doubt. As usual, his visit seems to have been a hurried one, or he would not have committed the unpremeditated irreverence of referring to the large circular roof of the modern St. Mary's Church as the local gas-works, a mistake which leads to some topographical confusion; the latter flourishing concern being situate in an opposite direction.

With respect to the materials made use of by the present author down to the reign of Henry IV., they are almost entirely the result of private researches in the public depositories of records in England, assisted by reference to the admirable catalogues and extracts of records compiled by the Royal Historical Commissioners and the Public Record Office; some, however, are derived from France, and others from diocesan records in England and from private sources.

Hastings Castle having been one of the Royal Castles, held with its Rape as a tenancy-in-chief under the Crown till the time of the Dissolution of the Monasteries, the documents relating to its transfer and to many titular and other proceedings were filed among the Royal records. In the same manner the documents of the Collegiate Church (which had been adopted, though improperly, as a Royal foundation), the visitations and appointments to its prebends, while under the Royal control, were filed among the Sovereign's records.

One of the most useful documents relating to the history of the Chapel is one of extraordinary length among the *Chancery Miscellaneous Rolls*, containing a copy of all the evidence known respecting the jurisdiction of the King and the Bishop of Chichester over the Chapel that could be found in the year 1421, a special search having then been decreed. At this time a dispute had arisen, as before mentioned, between the King and the Bishop, and the document was drawn up on behalf of the King's Clerks in support of their case. It was written upon skins some twelve feet in length, and contains about 13,800 words. By



## Preface

means of the chronological arrangement of the present work these historical details are dissected, and fall into their proper order along with the other records exhibited.

From the time when the Pelham family obtained possession of the Castle and Rape, in the year 1424, the documents respecting their title and proceedings had been preserved in extraordinary volume and completeness. It was not until subsequent to the year 1887 that a beginning was made with the dispersal of this series of records by Walter John Pelham, fourth Earl of Chichester. The earlier title-deeds among this series were presented by him to the then newly-founded Hastings Museum, where they have been since preserved under the author's nominal keepership, as head of the section dealing with local records. Most of the later deeds and documents of the series were presented by his Lordship to the Sussex Archæological Society, and a huge miscellaneous mass of documents relating to the manorial history of the Rape, since its possession by the family, was presented by him to the Manuscript Department of the British Museum, where they are indexed under the name of "The Newcastle documents." As to the chapter relating to this latter mass of documents the author wishes to acknowledge the skilled assistance of Mr. D. T. Baird Wood, M.A., who catalogued this series for the Manuscript Department of the British Museum.

For any record of the excavations conducted among the ruins of Hastings Castle, which took place in 1824, the author for a long time sought in vain ; but at last he discovered some drafts in manuscript of such a description in the Guildhall Library, where Mr. Herbert, above mentioned, was formerly the librarian. Mr. Herbert, it seems, had been employed by Mr. Thomas Thorpe (the compiler of the catalogue of the Battle Abbey Documents in 1835) to examine the deeds and documents (then known as "the Pelham Evidences") in the possession of Thomas, second Earl of Chichester, with a view to the identification of the boundaries of the lands adjoining the Castle. This he had done in a full and conscientious manner. Upon the introduction of Mr. Moss he had conducted, for Lord Chichester, the excavation at Hastings Castle initiated by the discovery of certain remains by Mr. Joseph Kay (the Architect of Greenwich Hospital), who was engaged in excavating the Castle cliff for the building of Pelham Crescent and St. Mary's Church, now situate below the Castle. Mr. Herbert was indefatigable ; he noted and planned almost every detail that was discovered, and subsequently prepared in handsome form a fair copy of his work, which he delivered to Lord Chichester.

Upon hearing of the present author's researches Lord Chichester (the fourth Earl) in 1897 most generously presented him with this invaluable record. Mr. Herbert's work is executed in a fine neat hand, and the text is illustrated by maps and drawings plotted out by an artist named B. Howlett. Some of these drawings, executed in black and white wash, are originals, and others are copied from certain eighteenth-century drawings by James Lambert of Lewes and S. H. Grimm, now in the British Museum and in the Bodleian Library, at Oxford. The author in the compilation of the present work has made free use of this magnificent record.

Thus splendidly equipped, the author, by leave of Lord Chichester, commenced a further series of excavations at Hastings Castle, with the view of verifying Mr. Herbert's previous discoveries, which had subsequently been covered



## Preface

over, as well as to test many other doubts and theories. For assistance during these operations the author is greatly indebted to Mr. John Lewis, C.E., F.S.A., and for his drawing of the plan which appears in this section of the work.

Dealing with the history of the prebends of the Collegiate Church and its prebendal churches, the author wishes to make it clear that these accounts do not profess to be exhaustive histories of the several localities ; but he mentions such items of local interest as have presented themselves during the course of his researches. In the description of the architecture of the Castle Chapel and most of the prebendal churches the author is indebted to the able advice of Mr. W. M. Alderton, late Director of Art in the Education Branch of the Corporation of Brighton, whose kindness he gratefully acknowledges.

The ancient mint and coinage of Hastings having hitherto received inadequate treatment, the author has taken advantage of the opportunity to give an exhaustive account of the subject. It seems curious that many of the best-preserved specimens of the mint, along with those of other English mints, found their way to Copenhagen ; and it is perhaps a little humiliating to modern ideas that their presence in Denmark is accounted for by their having been paid as tribute by the English to the Danes. In the compilation of this section of the work the author acknowledges the skilled assistance of Mr. G. F. Hill, M.A., of the Coin Department of the British Museum.

Owing to the chronological arrangement of the work, it has been thought unnecessary to elaborate unduly the index, which has been left in the able hands of Mr. George Clinch, F.G.S.

In conclusion, the author must express his grateful acknowledgment to the many experts, both living and dead, who have personally or by their writings contributed assistance to him in the production of these volumes. For those manifold errors and omissions inevitable in a work of this character, so easily overlooked and yet so vexatious to a conscientious writer, the author can but crave the indulgence of the reader.

UCKFIELD, SUSSEX.



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# INTRODUCTION TO THE HISTORY OF HASTINGS CASTLE

## PHYSICAL CHANGES OF THE COAST AT HASTINGS



THE artificial developments that have taken place in and about Hastings are by no means the chief cause of the difficulty which we shall have in giving some general idea of the site as it appeared in early times.

It may appear easy enough to strip the modern town of its buildings, and, by careful examination of the contour of the ground, to reconstruct the primæval hills and valleys with their green tracts of forest-land running down to the verge of the sea. The real difficulty is to estimate, even approximately, the enormous physical changes which have taken place upon the coast-line. Even to attempt this it is necessary to be familiar with the operation of certain natural forces which have been, and are yet, at work upon the whole of the south-eastern shores of England.

It is well known that for ages past the beach-drift or shingle has been moving along the coast in an almost continuous stream from west to east, whence it seldom returns. The average eastward tidal progress of the shingle at Hastings in calm weather, with a very slight westerly wind, is at the rate of about twenty-seven yards a day.<sup>1</sup> This movement is popularly known as the phenomenon of the "Eastward Drift." The changes of the coast produced by this drift have alternately formed and ruined the port of Hastings and the majority of the "Cinque Ports." This same drift, which will under certain conditions produce a bar or breakwater of shingle, offering safe anchorage to a fleet, will, under other conditions, break through the bar and transform the haven into a howling wilderness of shingle. The forces producing this phenomenon are the rising or flood-tide, acting in conjunction with the prevalent south-westerly winds. The great Atlantic tidal wave, when it strikes upon the western coast of Ireland, divides into two streams—one portion passing to the north and the other to the south. This latter stream enters the English Channel, and, gathering force as the straits become more contracted, it sweeps forward at a tremendous speed to find its level in the German Ocean. Twice a day this flood-tide, if the wind be blowing from the west or south-west, will cause countless thousands of tons of beach to roll in an easterly direction, gradually filling up the embayed portions of the coast, and massing in huge banks or "fulls" along the western sides of the capes and headlands. When the angle formed between the coast-line and any headland has been filled with shingle, the surplus masses of beach will continually drift round the nose of the promontory, and will generally either follow the coast-line, or will sometimes, if arrested by a submerged

<sup>1</sup> See "Observations on Tidal Transit," by S. H. Beckles, F.R.S., and Dr. J. Bowerbank, F.R.S. *Hastings and St. Leonards News*, April 15, 22, 29, and July 22, 1870.

## The "Eastward-Drift" of Beach

reef or bank, form a spit or bar of shingle extending in an easterly direction, and running out at a right angle on the eastern side of the point or headland. The bar of shingle running from Cliff End at Fairlight to the mouth of Rye Harbour is a good example of this phenomenon. This particular bar of shingle completely shuts out the sea from the cliffs and plains of Winchelsea. It is not, however, the usual result, and no great or permanent accumulations of beach exist on the eastern sides of the coast-projections or groins. The reason for the absence of such eastward accumulations is, that the motive power is continually exerted in one direction only, that of the flow, and scarcely ever in the reverse direction, the ebb of the tide in an open strait being practically a periodical cessation of onward motion. We may readily conceive that any movable body carried forward from west to east in the Channel by the tidal flow will never assume a retrograde course, unless for a very brief period through the intermediary of a temporary opposing force. This latter may arise if the tidal wave is met by a strong storm-current coming from the east, when the opposing action of the two forces will result in a current more or less at right angles to the shore, and the shingle will be carried out to sea by an action that the Portland islanders call a "drawing sea," and that the Hastings folk term a "scour from the east." As soon, however, as the impeding cause has passed away, a fresh flow of shingle from the west restores the beach to its normal condition, and that frequently in the course of two tides.

It may well be asked, what is the origin of this enormous supply of shingle? Without entering into a detailed geological explanation, it may be simply stated that in every district, and in all climates, from the Equatorial to the Polar regions, there is usually between the superficial covering of vegetable mould and the underlying rock a deposit of loose gravel, sand, and mud, to which the name "alluvium" has been applied. We will not here discuss the more complex causes of these beds, which have been the result of natural agents operating through a long succession of geological epochs, let it suffice to say that the gravels of our shores have been derived principally from beds of ancient drift formed from the denudation of the Chalk-formation, while other associated rounded fragments of stone and sand are for the most part derived from more ancient formations, either brought down by the agency of rivers, or filched from the cliffs and adjacent land by the action of weather and waves.

And now we may apply these known laws to the changes of the coast-line which have taken place at and near Hastings—changes of which there exist some records. Unfortunately, these records are deplorably vague and scanty. But we do know for certain that the coast-line on either side of Hastings extended for a considerable distance beyond the present sea-boundaries. There was also, at some comparatively recent period, a dense forest-growth upon much of this submerged land; the ancient forest has left a record of its existence in the shape of a considerable deposit of vegetable matter, containing trunks and roots of trees *in situ*, and vast masses of leaves, nuts, and acorns. Records also are extant of great inundations (see *postea*) from the sea, by means of which the seaward promontories were denuded, large portions of ancient parishes submerged, and buildings upon them ruined and washed away. It has even been suggested that a more ancient town of Hastings once stood to seaward of our present sea-walls, and that an island a mile and a half long lay off the coast of Bulverhithe. However that may be, there can be no question that harbours once existed at Pevensey, Bulverhithe,



## The "Submarine Forest"

and Hastings, which have now vanished. These points need critical examination, and the "Eastward Drift" has an important bearing upon all of them.

No means are available for ascertaining the exact line of the coast in early times ; but at Hastings it has been proved beyond doubt that the forest which is now called the "Submarine Forest" formerly grew upon the site of the pierhead at White Rock.<sup>1</sup> The line of the forest-growth has been traced at low tide at various intervals along the shore, at Warrior Square, St. Leonards, Bulverhithe, and Pevensey, and eastwards as far as the landing-place near the Queen's Hotel. It does not appear again until the levels at Pett are reached. The reason for this interruption doubtless is that, although the forest-growth formerly extended over the hills,<sup>2</sup> no deposit would remain upon the shore when these higher lands were washed away by the sea. The old harbours of Pevensey, Bulverhithe, and Hastings were all situated on the eastern sides of promontories, namely, Langley Point, Bulverhithe Point, and the White Rock respectively ; and each was scoured by its river—the Ashburne, the Asten, and the Old Roar. So long as the promontory formed the natural groin arresting the flow of beach from the west, the harbour on the eastern side of it would remain open, scoured by its river, and by the flow and ebb of the tides, as well as by the occasional eastern storm-tides. But so soon as the angle on the western side of the promontory had been filled up with beach, the surplus beach, unless arrested by some natural or artificial means, would drift round the point, and commence filling up the embayed portions beyond, damming back the river with "fulls" of beach, and thus causing an accumulation of silt at its mouth.

In the absence of any detailed record, it is impossible to give a precise description of the appearance of Hastings in early and mediæval times, since all its characteristic features would largely depend upon the length of the projections known as the White Rock and the Castle Cliff, as compared with the adjacent land. Nor can any reliable judgment be formed as to the position of the shingle with respect to these headlands, nor of the artificial moles and other works which may have been constructed (as in Romney Marsh) to strengthen and maintain the accumulation of beach on the western side of the harbour-mouth. If, however, we infer, from indications such as the situation of the remains of the submerged forest-bed, that when this "Cinque Port" was in its zenith of prosperity both the Castle Hill and the White Rock promontories projected some considerable distance into the sea, the latter probably as far as the modern pierhead, we shall perhaps not be very far wrong. From the last-named point, in later days, a spit or bar of shingle probably extended in an easterly direction, terminating along the adjacent ledge of rocks, opposite Carlisle Parade, where the western shore of the harbour-mouth was then probably situated. The Castle Hill, although projecting much more than it does now, sloped somewhat rapidly away southwards to a far lower level than that of the portion still standing. It probably formed the eastern and shorter wing of the old harbour, the estuary having a semicircular trend to the east. The whole space between White Rock on the west, as far as the Castle Cliff on the east, and Wellington Place on the north, is filled up with a mass of shingle, upon which the houses and streets are now built. The tract of land opposite Carlisle Parade,

<sup>1</sup> The trunk of a fine oak was discovered when the piles of the pierhead opposite White Rock were driven in. It is now preserved in the Alexandra Park.

<sup>2</sup> See description of the Castle earthworks, *postea*.



## Ancient Maps

which we know to have been formerly covered with forest-growth, being probably then below sea-level, must have required "inuing" by means of artificial embankments, to prevent a possible inundation by the sea at high tide, or flooding by a sudden displacement of the shingle-bar. These embankments would have been constructed along the former shingle-spit south-east of the White Rock, and on the western bank of the estuarine harbour. Speaking generally of these recent forest-beds on the south-eastern shores of England, it is never safe to infer that because submerged land containing these old forest-beds was dry land at a certain period of history, therefore this period must have been contemporaneous with the forest-growth. It is possible that the phenomenon of the formation and dissolution of the shingle-barrier may have been repeated more than once at considerable

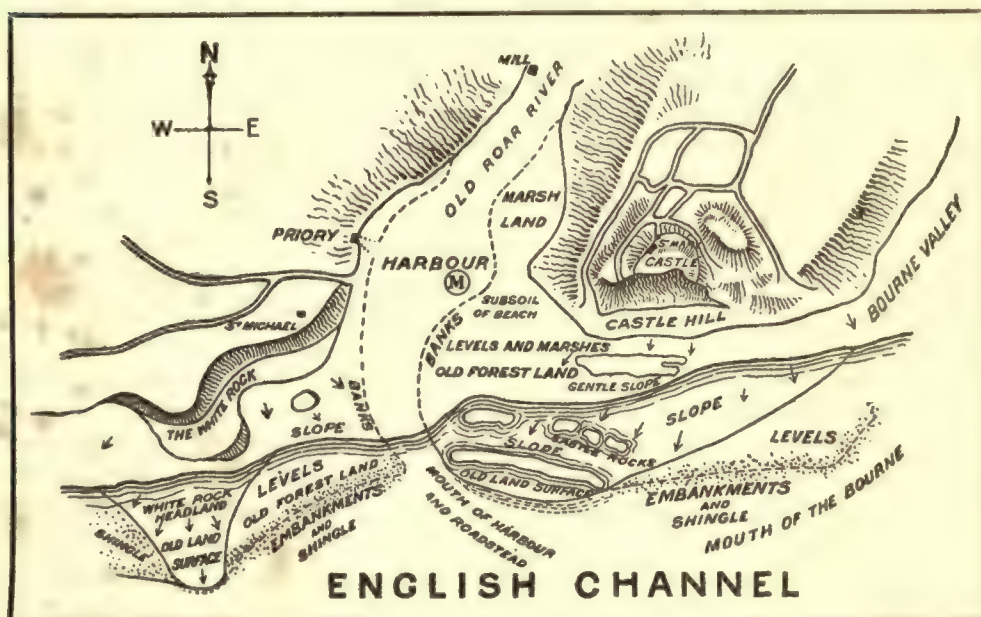


Diagram showing, in outline, probable land surfaces off Hastings in mediæval times. The present line of low tide is indicated. The land details are taken from maps of the eighteenth century. The letter (M) marks the site of the Albert Memorial Clock Tower.

intervals of time, the shingle alternately defending the land against the sea, and exposing it by its dispersal, and this without any alteration in the levels of the land by subsidence. Thus, in mediæval times, one of these forest-beds, the product of some primæval growth, may have been buried beneath a layer of alluvial soil, and as effectually hidden from view as others now are by superincumbent sea, sand, and beach.

So much has been said and written about the Island (a mile and a half long!) opposite St. Leonards and Bulverhithe, which appears marked on most of the seventeenth-century maps of Sussex, that the matter cannot be allowed to pass unnoticed here. It may be as well to state at once that this Island is as conspicuously absent from the original maps of the sixteenth century and of the early years of the seventeenth, as it is from our own Ordnance Survey maps. The earliest printed map of Sussex with which the author is

## The Lost Island

acquainted is that made by Saxton, probably drawn up a few years before 1588. There is a manuscript map on vellum (reproduced in a publication by Mr. M. A. Lower in 1870), the original of which was drawn up by Sir Thomas Palmere (Knight) and Mr. Walter Coverte, Deputy-Lieutenants of Sussex, in accordance with Queen Elizabeth's command to the High Sheriffs in 1587, drafted with the object of showing all places likely to be chosen by the enemy for a descent along the sea-coast of Sussex. It has a report annexed, containing recommendations as to the armament of sundry such places. Besides these maps, another was drawn by Johannes Norden, and engraved by W. Kip, which was subsequently published in Camden's *Britannia* in the year 1610. In none of these three maps is the Island shown, and the coast in the vicinity of Hastings does not seem to differ very greatly in outline from the coast-line of the present day. The map in which the Island first appears is the augmentation of Johannes Norden's map by John Speed, published in the latter's atlas of 1610. This map appears to have been slavishly copied by numerous map-makers, both English and Dutch, during the next hundred years. The more recent maps of Bugden, Bowen, and Kitchen do not include the Island, and it is never again seen or heard of in any map or contemporary writing. It should be remarked, moreover, that neither Speed nor any other author refers to the Island in his notes on the county geography, and on no map cited was there any description or mention of it. One might be inclined to doubt that the Island ever existed at all, if it were not for the fact that so large and striking an addition to a map could hardly have been inserted without some amount of deliberation.<sup>1</sup> Assuming, however, that the Island really existed, and was not merely some large sandbank visible at low tide, noted hurriedly by the surveyor, and subsequently added to Norden's map, then the only explanation that the author can offer is that this Island may have been a large mass of shingle displaced, from the neighbouring western shores. Careful examination and comparison of the earliest maps above mentioned with Speed's map seem to give some support to this theory.

If the map of Christopher Saxton is first examined, it will be noticed that a huge mass of beach is shown encircling Beachy Head, and the words "The Beach" are written on the western side of the promontory. The probability is that, for ages past, Beachy Head had been accumulating shingle on its western side. Thus protected, the cliff would not suffer much denudation by the sea on that side; on the eastern side, on the other hand, the cliff would suffer enormous damage. We know that constant denudation by sea and weather wore back the face of the cliff on the south-eastern side, until outliers stood boldly apart from it, forming huge pinnacles. These pinnacles or needles were nicknamed "The Churles" in the seventeenth, eighteenth, and early part of the nineteenth centuries. These Churles were repeatedly carved from the cliff, and washed away,

<sup>1</sup> It will be noticed by comparison of the maps that the word "Bulverhithe" has been slightly shifted westwards to make room for the Island. In connexion with this matter, it should, however, be pointed out that considerable inaccuracy, carelessness, and indifference existed as to some details in the "augmentation" of Speed's map. For instance, the locality of Pepplesham (or Pebsham), which should have been marked against the vacant roundel on the mainland, north-west of the Island, has been somehow inserted where Fairlight or Ore might be marked in John Norden's original map. This roundel is still unnamed in Speed's "augmented" copy of the map (1610), and Pepplesham is still erroneously marked to the east of Hastings. These errors, and many others were stereotyped in all the maps of the succeeding hundred years.



## Decay of the Harbours

chiefly by the force of the eastern reflux and storm-tides, assisted by subaerial denudation. Many headlands on the south-eastern coast of England must have suffered this cutting away of their unprotected sides. The result would be that the accumulation of sea-beach on the western side of Beachy Head would commence to pour round the promontory, until no appreciable quantity of beach could be detained there. The author is disposed to think, though with all due reserve, that the beginning of the failure of Beachy Head, and other intervening headlands to retain the huge masses of accumulated beach on the western side is coæval with the commencement of the decay of the Cinque Port of Hastings and its fellows. Johannes Norden's map of 1610 shows a large increase of beach collected at Langley Point, and this accumulation no doubt afterwards led to the utter decay of the port of Pevensey. In this map also we see a long stretch of shingle along the shore, damming back the stream which flows from the west of Bexhill, and creating a pear-shaped lake or lagoon known as the "Pell."

On reference to the maps of Speed and his copyists, of 1610, we find that the "Pell" has become an open lagoon or inlet, by the removal of the mass of beach in front of it, and that the Island has now for the first time appeared to the east of it. The author's theory therefore is, that the nucleus of this island may have been derived from the displacement of beach by some enormous tidal scour, which may well have taken place between the drafting of the two maps. Perhaps so soon as a substantial nucleus had been formed off the coast of Bulverhithe, at St. Leonards, the passage of the beach from west to east was obstructed, and the shingle gradually accumulated against the obstruction to the westward, in the form of a long bank. It is possible that this shingle-island may have endured till the next century, when it may have finally disappeared by the action of the forces above described.

Prof. Airey has written an extremely interesting paper on Julius Cæsar's invasion, in which he endeavours to prove that the landing took place at Pevensey Bay. But as the whole argument is founded on the action of the tidal currents of the present day, regardless of the alterations which we know to have been brought about by the denudation of the coast on both sides of the English Channel, by which the Channel has been greatly widened, the writer considers that such deductions are of too speculative a character to receive serious attention.

## PREHISTORIC REMAINS

Before noticing later antiquities found at Hastings and in the immediate vicinity, it is proper to mention certain prehistoric remains which have been discovered.

The Wealden rocks, upon which Hastings stands, are, in common with the greater part of the Wealden area, rarely overlain by the more recent deposits in which the remains of the older flint-age may be expected to occur. However, a very considerable number of worked flints, belonging to the later or Neolithic stone-age, have been discovered at and near Hastings, either upon the surface or a few inches below it. These specimens have occurred mostly, if not exclusively, upon the higher levels of the district.



FIG. 1.



From the Atlas of Christopher Saxton, 1589 A.D.

FIG. 2.



From the Atlas of John Speede, 1610 A.D.



## Prehistoric Remains

Dr. Smart has remarked<sup>1</sup> upon their discovery in the neighbourhood of Hastings, more especially at Ore. Mr. Thomas Ross and the present author have found them in a field immediately south of "Old Roar" and at the Borough Cemetery, Hastings, and the former also describes a flint arrowhead from the "East Hill" at Hastings.<sup>2</sup> From observations which the author has made, these objects appear to be less uncommon in the upland areas of the Weald than has been generally supposed. What, however, more nearly affects our subject is the fact of their occurrence in considerable quantities on the southern and weathered slope of the outer earthwork at Hastings Castle, commonly known as "The Lady's Parlour." They were first remarked by Mr. Garraway Rice, F.S.A., who devoted much attention to their collection, and it was through him that the author first heard of their occurrence. Since then, repeated discoveries have been made by various explorers. Numerous examples have been collected recently, and the subject has been worked out in considerable detail by Mr. W. J. Lewis Abbott F.G.S., who has published a notice on these prehistoric remains in the *Journal of the Anthropological Institute*, vol. xxv.

The bulk of the specimens have been found in the surface-soil which rests upon the sand-rock of the hill, and in the earthy matter that fills the rock-fissures which abound in the Hastings Sands.

The earth in the fissures contains, besides worked flints, numerous bones, shells, fragments of rude pottery, and ashes, forming a midden-like deposit. The author has examined a large number of specimens discovered by different explorers. The flints seem to have been worked on the spot, and since flint does not occur *in situ* within 18 miles of Hastings (Eastbourne and Polegate), the matrix was probably selected by the ancient workmen from the seashore. Most of the specimens are small, and, probably owing to the condition of the flint, they do not show such elaborate working as may be seen in specimens from the Chalk districts, where flints can be obtained fresh from their beds. Finished implements are extremely rare. Both flakes and implements are commonly not much bleached or *patinated*. The pottery is of a crude and coarse *thumb-made* variety. Some of it is black, and is mixed with pounded flint (the so-called "Celtic" pottery). Other pieces are brown or red, very coarse; they show rarely any trace of ornamentation, and are associated with a large quantity of ash and other charred substances. The brown or red pottery is sometimes found blackened, as if it had been used over a fire.

No bronze or other metal objects have been discovered among the specimens in these rock-fissures. The above-mentioned deposits must be distinguished from other midden-like heaps of the mediæval period which occur at the foot of the hill to the south, and contain bones and glazed pottery.

Without entering into various controversial matters which might arise from details in Mr. Abbott's paper, it may be said that special interest attaches to the determination of the bones found in association with these early specimens of human handicraft. Mr. E. T. Newton, F.R.S., has identified traces of the following organisms among the specimens discovered by Mr. Abbott:—Vertebrates: (fishes and reptiles), the gurnet, mackerel, turbot, plaice, whiting, cod,—the toad or frog; (birds), black grouse, red grouse, duck (of some kind); (mammals), rabbit

<sup>1</sup> *Sussex Arch. Coll.*, vol. xix. p. 53.

<sup>2</sup> *Ibid.*, vol. xiii. p. 309.



## Golden Treasure Trove

horse, deer, sheep or goat, ox, pig, badger, dog, wolf, fox, man. Molluscs (Linn.) : *Ostrea edulis*, *Mytilus edulis*, *Cardium echinatum*, *Macra* sp. *Pholas crispata*, *Buccinum undatum*, *Purpura lapillus*, *Littorina littorea*, *Patella vulgata* (Da C.), and *Natica catena*. The bones appear to have been, sometimes, cut and notched by human hands and some are worked into tools.

The author knows of few instances of the discovery of implements of the Bronze Age near Hastings. One discovery of bronze axes occurred many years ago in forming the Sedlescombe Road, on the north side of Battle: this find is noticed in Thomas Ross's *Handbook to Hastings*, p. 57.<sup>1</sup> Another was in a fall of the cliff behind the houses at West Marina, St. Leonards-on-Sea, which took place about the year 1869. Three whole axe-heads and a portion of a fourth were found, together with a piece of bronze, technically called a "runner," left over from the mould in casting. Hence it is probable that these implements formed portion of a "founder's hoard." They are of an ordinary type, with two lateral grooves for hafting; and are now on exhibition at the Hastings Museum in the author's loan-collection.

At what time iron-ore was first worked in Sussex for smelting, is a question which we cannot answer at present for want of evidence; but it is almost certain that the passage in Cæsar's Commentaries on the Gallic War (*De Bello Gallico*, B. V. chap. xii.), which states that "iron is found in the maritime districts," related to the iron found near the Sussex shores.<sup>2</sup> If so, this would go to prove that the art of smelting iron was practised in Sussex before the first Roman invasion, although earlier remains have not yet been positively identified in the cinder-heaps which abound in the vicinity of Hastings. Of the former presence of a Celtic population, considerable evidence exists both in local nomenclature and in the discovery of Celtic remains. The magnificent gold hoard discovered in 1863 at Mountfield,<sup>3</sup> which unfortunately was disposed of surreptitiously and melted

<sup>1</sup> He mentions that they were thought to be of Norman manufacture, but this is a most improbable supposition. See also Sir J. Evans' *Ancient Bronze Instruments* as to a bronze sword and trumpet found at Battle, Sussex.

<sup>2</sup> Cæsar also states that the interior of the Island is inhabited by the traditional aborigines, and the maritime portion by Belgic settlers, who mostly gave the name of the state to which they originally belonged to their settlement in Britain. He says that the number of the people in Britain was countless, and their buildings exceedingly numerous. For money they used either brass or iron rings of a certain weight.

<sup>3</sup> The discovery here mentioned was made in the Barnfield, Taylor's Farm, Mountfield parish, Sussex, on January 12th, 1863, by a ploughman named William Butcher. In his depositions before the Coroner he said: "I ploughed up a long piece of metal: my share caught it: I judge it was 17 or 18 inches deep, and deeper than the ground had been ploughed before. Something stopped the plough: it was a long piece of metal like brass: a trumpet on each end, twisted in three grooves, looked as if made of three flat pieces put together, and was completely doubled up. In the furrow about 30 feet from the hedge I found more, some rings, and other pieces—the rings as if cut asunder." He subsequently found two more pieces by digging with a spade. Some of the rings were larger than others, and were not closed; and one piece looked like part of a breastplate. The hole was 14½ inches deep, square, and with blackened sides, as if it had once enclosed a wooden box which had rotted away. The pieces were subsequently sold as old brass to a Hastings cabdriver named Stephen Willett, who had been a gold-digger in California, and he subsequently, on January 23rd, sold them to Messrs. Brown & Wingrove, gold-refiners, Cheapside. The relics were by them described in their evidence as "small rings, and two lumps which had been melted down, about twenty rings altogether, and about eleven pieces such as were occasionally received from Barbary." The gold, after being assayed, sold for £529 13s. 7d. (it had originally been purchased for 5s. 6d.),

## Early Iron Workings—The Celts

down, testified that Hastings was, at all events, near some important centre of the Celtic tribes.

It is quite certain that iron-ore was extensively worked in Sussex during the time of the Roman occupation of Britain. Roman and Romano-British remains are common in the cinder-heaps of Beauport, near Hastings. They have also been discovered at Maresfield, in Sussex, and other localities in the Weald. So far as the author is able to ascertain, there is not sufficient evidence to show that any considerable settlement existed at Hastings itself, during Roman times. The reported discoveries of remains dating from this period are so extremely rare and doubtful, taking into account the large amount of excavation which has been carried out at Hastings for building purposes during recent years, that it is impossible to conceive that anything like a fair-sized settlement could have existed, without leaving some more definite mark of its presence. It is of course possible to suppose, as some have done, that formerly a Roman *oppidum* flourished south of the present shore, on land now submerged; but even had this been the case, one would have surely found more evidences of its existence on the immediately adjoining land. On the other hand, it is quite within the bounds of possibility, owing to the operations of the "Eastward Drift," that there may have been no port on the site of Hastings during the Roman occupation. The supposed traces of Roman entrenchments upon the "East Hill" must be considered, for the present at all events, very much open to question. There are, indeed, the remains of a huge earthwork running north and south, and raised as if to guard the hill and town from assault on the Ecclesbourne or eastern side; but the remaining earthworks upon the hill (excepting the small rectangular entrenchment to the east centre) are very obscure and inconsiderable. The rectangular enclosure parenthetically mentioned is known to have been nought else but the graveyard of the mediæval

and weighed about 11 lbs. A piece had been sold to a Hastings jeweller, Mr. John Murray, Castle Street, for £18. The weight of the whole, including the pieces subsequently found, was estimated at 12 or 13 lbs., and its value at £650. These gold objects appear to have resembled some ancient gold torques and other ornaments in the British Museum. They were undoubtedly of Celtic origin, and the twisted object "a yard long, with a trumpet at each end," was probably a torque of the usual type. The other ornaments were probably penannular rings. During the examination of the witnesses before the Coroner of the Rape of Hastings, several who had seen the gold agreed in stating that portions of it resembled the ornament round the neck of a Druid, depicted in page 9 in Mr. Charles Knight's *Old England*, published in 1845, and that the rings corresponded with a group of British ring-money shown in page 21 of the same work. The two men who had received the gold were prosecuted at the summer assizes at Lewes, July 22nd, 1863, before Baron Bramwell. An account of the case, with the indictment and inquisition which went to the Court of Appeal on a technical point, is given in *Law Journal*, 1864, C.L.M.C. 22 (*Reg. v. Thomas and Willett*). It was held in this case that treasure-trove must be either gold or silver. At the winter assizes, judgment was passed on Thomas and Willett. They were fined £265 each, with the alternative of imprisonment until the fine was paid. See also *The Hastings and St. Leonards News*, April 3, May 1, 8, 15, and July 24, 1863.

In vol. ii. (new series) *Proc. Soc. Antiq.*, p. 247, are woodcuts of three fragments, the only specimens preserved of the gold. Two of these were presented by the Treasury to the British Museum, and the third to the Lord of the Manor. Of these three pieces, one seems to have belonged to a penannular ring, and the two others to an armlet of fluted work, with lines of punctured dots in the hollows, the punctured work resembling a gold corselet found at Mold, in Flintshire. Hundreds of persons visited the field at Mountfield: the ground was thoroughly dug up and searched, with the result that some of the smaller fragments above mentioned were discovered



## The Roman Occupation

church of St. George, portions of which still exist on the eastern side. There is no record of the discovery of Roman remains upon the hill.<sup>1</sup>

The foundations of a certain building near the south-western edge of the cliff, discovered by Mr. T. Ross, presented no features to which he felt justified in ascribing a Roman origin. Future excavations may lead to further evidence; in the meantime, there is nothing sufficiently characteristic about the large bank, (though it has a somewhat pre-Roman appearance), or the other smaller banks, to enable us to determine their age.

Traces of Roman occupation have never been known to occur in or about the Castle or West Hill.

<sup>1</sup> The gold coin of Theodosius Magnus (elected 379—*ob.* 395) was not found on the hill, but below the cliff, among the shingle, after a severe storm on October 3rd, 1857. Coins of all ages are frequently discovered below the shingle. The author knew a man at Hastings, who made a precarious livelihood by systematically examining the minute fissures of the rocks below the shingle, in which he frequently discovered coins, and many other objects, tightly wedged edgewise into the crevices. They are difficult to detect, save by a trained eye. This person informed the author that he was continually on the watch for movement in the sand and shingle, as frequently the next tide covered over the rock-floor below the beach. Of course, the greatest displacements take place during stormy weather. These objects when moved with the drift might be transported for great distances along the coast, and sink to the bottom of the beach in virtue of their higher specific gravity.

## Part I

### EARLY HISTORY



ALTHOUGH the recorded history of Hastings commences at a comparatively late date, perhaps something may be gleaned inferentially from examination of the history of the neighbouring settlements. As will be afterwards mentioned, there is reason for supposing that Hastings and its immediate district formed a settlement distinct from that of Jutish Kent on the one hand, and from the land of the South Saxons on the other. We find that the coast round Hastings in the early part of the fourth century must have formed portion of the shore which was under the jurisdiction of that Roman official whose duty it was to repel the frequent piratical and predatory attacks of the bold sea-rovers, known to the Celts by the name of Saxons. This official was called "the Count of the Saxon Shore." As the Roman power in Britain began to wane, the incursions of these marauders waxed ever bolder, until at last it would seem that the whole of Britain might have become subject to them, if it had not been for the severe check which they sustained at the hand of the Roman Governor Theodosius, in the year 367. It was upon the fall of Rome, in the year 410, that the grandson of this Theodosius was compelled to recall the Roman legions from Britain. Thirty-nine years later it is said that the Britons invited the Jutes to assist them in fighting against their northern enemies, with the result that the Jutes eventually secured to themselves a settlement in Kent, the first of the Teutonic colonies in Britain. It was not until this settlement had been firmly established, that in the year 477 the Saxon Ælla and his three sons began those operations which led to the founding of the kingdom of the South Saxons. Their landing and first settlement was effected in the western part of Sussex, at a place which they named Cymenes Ora (perhaps Shoreham). There they slew many Britons who opposed them, and drove the rest in flight to the wood called "Andreds-leah."<sup>1</sup> The Saxons having thus secured their first lodgment in Britain, for the nine following years conquered inch by inch the surrounding land. Each lofty hill-top that rises between Cissan Ceaster and Andredes Ceaster yet tells its tale of stubborn resistance. Every Roman villa now unearthed along the sunny shores is eloquent of the waste and woe, the red ruin wrought by the Saxon conquerors. In the year 485 we read of something like an organized and determined attempt on the part of the Britons to check the Saxon advance. The Saxon accounts said that "British kings and chieftains had come together by the bank of the Mercedesburn, and

<sup>1</sup> "To a place named Aldredes-leage" (? Aldrington), Chron. Fabius Ethelwerd.



## The Saxon Conquest

fought against Ælla and his two sons." The place where this pitched battle was fought is yet unidentified, but it lies probably somewhere between Cissan Ceaster and Andredes Ceaster, possibly within sight of the Chalk hill upon whose steep the huge figure of the Traveller is graven ("The Wilmington Giant").<sup>1</sup>

The result of this battle was doubtful, says the Saxon Chronicler; but by the Britons this check may have been justly hailed as a defeat inflicted on the advancing enemy. Greatly weakened, the Saxons fell back on their settlement to the west. It was not until the year 491, when Ælla was largely reinforced, that he opened his final campaign against the Britons. "Then Ælla and Cissa beset Andredes Ceaster and slew all that therein dwelled, and henceforth was there not one Bret left." This is the terse but terrible record of the Saxon Chronicler. Fuller details are to be found in the Chronicles of Henry of Huntingdon,<sup>2</sup> which perchance he compiled from some old Saxon war-songs. Andredes Ceaster was stubbornly defended, both from within and without its fortifications. The besiegers were greatly harassed by the Britons who sallied to the rescue of the besieged from the fastnesses of the neighbouring Andredeswald. At the fall of the town, these Britons probably retreated in a northerly and north-easterly direction, perhaps not far distant from the spot where the golden treasure was found. We hear nothing of further operations by the Saxons near the site of Hastings. With the fall of Andredes Ceaster, what had been a mere settlement developed into the kingdom of the South Saxons. If, as seems probable, the land bordering the shore between the Jutish settlement of Kent and Andredes Ceaster was already a small Teutonic state, perhaps its Earldormen may have acknowledged to some extent the suzerainty of the South Saxon King. This little state, shut off on the west from the South Saxon kingdom by the lagoons or marshes of Pevensey, on the east from the kingdom of Kent by the marshes of Romney, and on the north by the great Andredeswald, would seem to have come into being as an independent settlement of a tribe known as the "Hestingi." Presumably

<sup>1</sup> Supposed by some to represent the god Mercury (Woden), the god of travellers and merchants generally.

<sup>2</sup> (A.D. 490) "The kingdom of Sussex which Ælla founded he long and valiantly maintained. In the third year after the death of Hengist in the time of Anastasius, Emperor of Rome, who reigned 27 years, Ælla was joined by auxiliaries from his own country, with whose assistance he laid siege to Andredescester, a strongly fortified town" (Saxon Chronicle). Pevensey Castle is supposed to stand on the site of Andredes-ceaster, though some antiquarians place it elsewhere on the coast of Sussex. Its name, and the subsequent description given by Henry of Huntingdon, show that it stood on the verge of the great wood mentioned in a preceding note. "The Britons swarmed together like wasps, assailing the besiegers by daily ambuscades and nightly sallies. There was neither day nor night in which some new alarm did not harass the minds of the Saxons: but the more they were provoked, the more vigorously did they press the siege. Whenever they (the Saxons) advanced to the assault of the town, the Britons from without, falling on their rear with archers and slingers, drew the pagans away from the walls to resist the attack upon themselves, when the Britons, lighter of foot, avoided them, taking refuge in the woods: and when they turned again to assault the town, again the Britons hung on their rear. The Saxons were for some time harassed by these manœuvres, till, having lost a great number of men, they divided their army into two bodies, one of which carried on the siege, while the other repelled the attacks from without. After this the Britons were so reduced by continual famine that they were unable any longer to withstand the force of the besiegers, so that they all fell by the edge of the sword, with their women and children, not one escaping alive. The foreigners were so enraged at the loss which they had sustained that they totally destroyed the town, and it was never afterwards rebuilt, so that its desolate site is all that is now pointed out to travellers" (Henry of Huntingdon).

## Early English Settlement

the first and earliest reliable reference which we have to these folk is contained in the Chronicle of Simeon of Durham, who died about the year 1139, and who compiled his record from earlier Saxon documents. Speaking of the Conquest of Wessex by Offa in the year 771, he says: "In these days Offa, King of the Mercians, subdued by force of arms the Race of Hastings." Assuming that this passage refers to a tribe which settled in the district where the present town of Hastings is situated (though we must bear in mind that this is a transcript by an author of the twelfth century), it appears to tell against the traditional foundation of the town and *ceaster* at Hastings by the Dane of that name, of whom it is recorded that he overran the neighbouring country about the year 893. In connexion with this conquest by Offa, we may mention the Charter and confirmation granted to the Abbey of St. Denis in the year 795, in which Hastings is described as a seaport. So much doubt, however, has been cast upon the authenticity of these documents, that they must be viewed with the greatest suspicion.<sup>1</sup> However, as they appear to date, at all events, from the twelfth century, they are extremely curious, and perhaps relate to real transactions, even though they may be forgeries. The following is an abstract of these documents, with their references:—

1. (Original now lost.) A.D. 795. A grant from Dux Berthualdus to St. Denis, of land at Ridrefelda in the country which is called Sussex, and of the ports of Hastings, and Pavevesel, printed in Doublet, p. 718. *Monasticon*, vi. 1077 (Birch, *Cart. Sax.*, i. 350).

Grant by Duke Berthuald to the Abbey of St. Denis in France, of land at Rotherfield, Hastings, and Pevensey, co. Sussex, A.D. (795, for) 788.

This grant purports to have been made in pursuance of a vow when Duke Berthuald was ill. The property granted to the Abbey is described as "my country-house which is called Ridrefelda (Rotherfield), situate on the river Sforda, Sussex, also the ports of my possessions which are in the same neighbourhood on the sea, Hastings and Pevensey, with their salt works." Signed by Berthuald and Eadbald, and eight witnesses, one of which, Aeanfric (Eanfric), "the chancellor," asserts that he has "written, re-read it and signed it."

There is the entire seal of Duke Berthuald with his effigy in relief. Then follows confirmation of the above grant by Offa, given in the 33rd year of his reign, and King Ethelwulf, in the 19th year of his reign.

2. (Note, original lost.) A.D. 857. Confirmation by King Aedelwulfus (?Æthelwulf), of the possession of St. Denis, in Ridrefelda, Hastings, Pevensel, and "Lundenuic," printed in Doublet, p. 785 (Birch, ii. 97). Confirmation by Aedelulf, King of the English, to the Abbey of St. Denis in France, of all its possessions in England. 16th November, A.D. 857.

In the confirmation there is a recital that a monk of St. Denis had bitterly complained of the injuries which the King's men had miserably inflicted on the followers of the Saint in

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<sup>1</sup> See Mr. W. H. Stevenson's article in the *English Historical Review*, vi. pp. 736, *et seq.*, in which the authenticity of these deeds is ably criticized; also Mr. Horace Round's "Note on the Early History of Rotherfield Church," vol. xli. p. 49, *Sussex Arch. Collections*. Mr. Stevenson thinks that, as the possessions are not mentioned in Domesday, the forgery of the Charter must have been of earlier date than this, otherwise there would be no object in the fraud. The supposition that the deeds were drawn up by Frankish monks, and attested by the King, is precluded by the fact that the writing in two of them is ascribed to imaginary English Chancellors. Thus we can only conclude that they are later Frankish fabrications, which may relate to real transactions, but which are certainly not copies of lost English originals. The Frankish charters always mention the name of the scribe, but the English never do. The Frankish seals on the deeds were old Roman portrait-gems, and are not supposed to be likenesses of donors. Mr. Stevenson bases his opinion on the verbal structure of the documents; he had not seen the originals, but his arguments seem conclusive. It is but fair to state that Mr. Madden (see *Arch. Journal*, xiii. 361), who previously to the appearance of Mr. Stevenson's criticism examined some of the original documents in Paris, did not suspect them to be forgeries.



## Saxon Charters

England, especially at Rotherfield, and in Hastings, and Pevensey, at the salt works, and in "Ludenuvic" (Sandwich?). Restitution is decreed and gifts are made to the Abbey. Done by the King in the presence of his Nobles at London, and "marked with the sign of the most victorious Cross of Christ."

3. Restitution by King Aedgard (*i.e.* Eadgar) to Vitalis, the Provost of the Abbey of St. Denis in France, of its possessions appropriated by Togred, the Provost of the King's household. 26th December, A.D. 960.<sup>1</sup>

4. Precept from beyond the Sea. The Precept of King Eadgar.

In this document of injunction it is recited that the Abbot Vitalis complains that one Togred, superintendent of the King's palace, had carried away 300 sheep, 50 oxen, and 100 measures of salt from their salt works and robbed the peasants, as if at the King's bidding. Restitution is decreed, and Togred is spared at the intercession of the monks; the injunction was to be laid on the tombs of the Saints of the Abbey.

The document purports to have been written by one Edilvinus (*amanuensis cartographus*) of the King's household, who read it and signed it before those present, and it is certified that Togred carried this precept to the tombs of the Holy Martyrs, Dionysius, Rusticus, and Eleutherius.

5. Confirmation by Offa, King of the Mercians, to the Abbey of St. Denis in France, of land at "Ludenuic" (Sandwich?), Ridrefeld, etc., 12th April, A.D. 790.<sup>2</sup>

This deed purports to be a confirmation by Offa (called the glorious King of the English) of a gift to the Abbey of St. Denis in France, of land at Ludenuic (Sandwich?), and also the gifts of Ridrefeld (Rotherfield, Sussex) on the river Seaford and of the seaports Hastings and Pevensey, which had been given in the above grant. (Signed by Offa and attested by eight witnesses.)

There is a memorandum that the deed was deposited on the tomb of St. Denis by the King's command.

The earliest direct and unquestionably genuine reference to Hastings is that in the law of Athelstane, where a moneyer is appointed to the Mint at Hastings (see account of Hastings Mint, *post*). The next reference appears in the Saxon Chronicle under the year 1011, in connexion with the Danes.

Thorpe, p. 117. "An. M.XI. In this year the king (Ethelred II. the Unready) and his Witan sent to the Danish army and desired peace, and promised them tribute and food, on condition that they would cease from their plundering. They had then overrun, 1st, East Anglia, and 2nd, Essex, and 3rd, Middlesex, and 4th, Oxfordshire, and 5th, Cambridgeshire, and 6th, Hertfordshire, and 7th, Buckinghamshire, and 8th, much in Northamptonshire, and south of the Thames, all Kent and Sussex, and Hastings (Hasting and Hastingas), and Surrey, and Berkshire, and Hampshire, and much in Wiltshire. All these calamities befel us through evil counsels, that tribute was not offered them in time, or they were not fought against; but when they had done most evil, then a truce of peace was made for them; and nevertheless for all this peace and tribute, they went everywhere in flocks, and harried our wretched people, and robbed and slew them."

In connexion with this passage, it should be observed that the name Hastings here mentioned occurs rather as the name of a district or county than as that of a town. The *caput*, or chief place in this district, would probably have been "Hastinga-Ceaster."

<sup>1</sup> *Archives de France*, K. 17, No. 3, A.D. 960. Restitution by King Eadgard of goods taken from the possessions of St. Denis in Hastengas and Pevenisel, printed in Doublet, p. 817. Félib. p. lxxix. No. cv.; Bouquet, *Recueil des Historiens de Gaule et de la France*, ix. 397; Madden, *Arch. Journal*, xiii. 366; Tardif, p. 146 (Birch, iii. 277). Described in Bréquigny, i. 432. App. D., Cooper's Report, p. 139.

<sup>2</sup> *Archives de France* in the Hôtel Soubise, Paris, K. 7, No. 10, A.D. 790. Confirmation by King Offa to St. Denis, of lands in the port of Lundenuic, given by his brothers Agonavuola and Sigrinus, and of the preceding grant, printed in Doublet, p. 720; Félib. *Histoire de l'Abbaye Royale de St. Denys en France*, Paris, 1706, folio; *Pièces Justificatives*, p. xlii. No. lxii.; Madden, *Arch. Journal*, xxxiii. 361; J. Tardif, *Archives de l'Empire; Les Monuments Historiques*, 1866, p. 68; Birch, *Cart. Sax.*, i. 360. Described in Bréquigny, *Table Chronologique de Diplômes*, etc., Paris, 1769, etc., folio l. 123. Appendix D. to Cooper's Report on Rymer's *Fœdera*, p. 139.



## Origin of the Name of Hastings

From the authorities just quoted, it will appear that although there is great probability that Hastings existed as a distinct settlement, yet the date at which it was formed is unknown. It is quite possible that the Hastengi, who may have founded a colony here in the early days of the first Teutonic settlers, were an offshoot of the same family or tribe as that to which the Danish pirate Haesten belonged, living on the same seaboard district north of the Elbe. The remnant of this family may have continued to flourish in its old home, and some of its members may have played the same part in England, and in the English seas of the eighth century, as its earlier offshoot did in Britain and in the British seas of the fifth century. The settlement of the Hastengi was probably founded after some expedition, conducted either by a single chieftain or by a body of men representing a division of a larger victorious host, to whom the district was allotted. We know that when these invaders settled in England, they had already their fixed laws and institutions; that they had distinct classes in their communities, and that, in short, each settlement was rather a migration of an organized and classified body of people, than the irruption of a mixed tribe, having all things in common, and among whom no political system was as yet developed. They brought with them their families, and even their herds. No doubt the earliest task of these communities was to construct some convenient and central stronghold, for the defence and accommodation of its members and their property during the early days of the settlement. This defence, or, as the Saxons called it, "Ceaster," may have subsequently become the place of residence of the chief and his household, and the *caput* of his estate, the refuge for his tenants and their flocks in time of war.

The system of the allotment of land among the various families of the colony is imperfectly known. It seems that each family or house had a portion allotted to it, which was called a "hide." The quantity of land which composed a "hide" is altogether doubtful. It appears to have differed locally, and may perhaps have varied by fixed rules, according to the quality of the soil and the size of the family to whom it was apportioned, and whom it was intended to support. In the enumeration of the "hides" in several shires, given in the *Liber Custumariam Saxonicum*, the number of hides in "Suth Sexena" is stated to be 100,000; that in "Hastinge-cestre," 500. The "hundred" consisted of one hundred hides, and varied in size, not perhaps merely owing to the variation of the "hides," but also owing to the adoption of natural boundaries. The name appears to be derived from early Teutonic institutions. The Teuton hosts were divided into companies, or hundreds, of warriors, connected by social ties or kinship. A victorious army, in dividing a conquered region, would grant to each such hundred a tract of land, which would be subsequently divided by the hundred warriors into "hides." The "hundred" of the host, like the Roman legions and our own regiments, subsequently became a variable numerical division.

The Anglo-Saxon territorial division of the "hundred" first occurs at a comparatively late period, and although the hundred still continued to consist of one hundred hides for administrative purposes, the original signification was ultimately lost. The subdivision of the seaboard areas into numerous unequal smaller "hundreds," compared with the larger hundreds of the inland areas, seems to bear a special military significance. The "rape," which is a division intermediate between the hundred and the shire, appears to be of much later origin. This division is peculiar to Sussex. There are five in all, and they consist of a

## The Saxon Castle

collection of hundreds, varying in number. The divisions are determined, as far as possible, by natural boundaries, as in the case of the hundreds, and each rape has its castle, a port, and a river. The name is not met with in England earlier than Norman times, and it seems to have been derived from the Norman measuring-rope.<sup>1</sup> It appears to have been a division created for military purposes, namely, for the raising of troops and for the defence of the Castle and its bailiwick.

The first mention of this Castle or Ceaster, in any record, occurs in the Saxon Chronicle under the year 1050 (in the Cott. Liber., B. IV. Version, Brit. Mus. The other versions say the "The men of Hastings").

Anno 1050. After reciting the murder of Beorn by Sweyn, and his exhumation at Dartmouth and burial at Winchester, the chronicler says:—

"A little before that, the men of 'Hastinga-Ceastre' and thereabouts won two of his ships with their ships, and slew all the men, and brought the ships to Sandwich to the King. He (Sweyn) had eight ships before he inveigled Beorn; after that, all forsook him but two."

In this account we find the first mention of the mariners of Hastings as a distinct body in the King's service. In one other paragraph of the Saxon Chronicle we have a reference to them as a body of men in some manner distinct from the men of the counties of Kent, Sussex, and Surrey, namely, under A.D. 1052. Speaking of Godwin's quarrel with King Eadward, the Saxon Chronicle says (anno 1052):—

"When the King's fleet lay at Sandwich, Godwin's men got to land, so that they did not know it. And in the time that he was here in the land, he enticed all the Kentish men, and all the 'butse carls'<sup>2</sup> from Hastings (Hastingum), and everywhere there by the sea-coast, and all the east end, and Sussex, and Surrey, and much else in addition thereto: they all said that with him they would die and live." (The Sandwich fleet then comes out after Godwin, and he retreats. When they have gone to London, he goes to Wight, etc.)

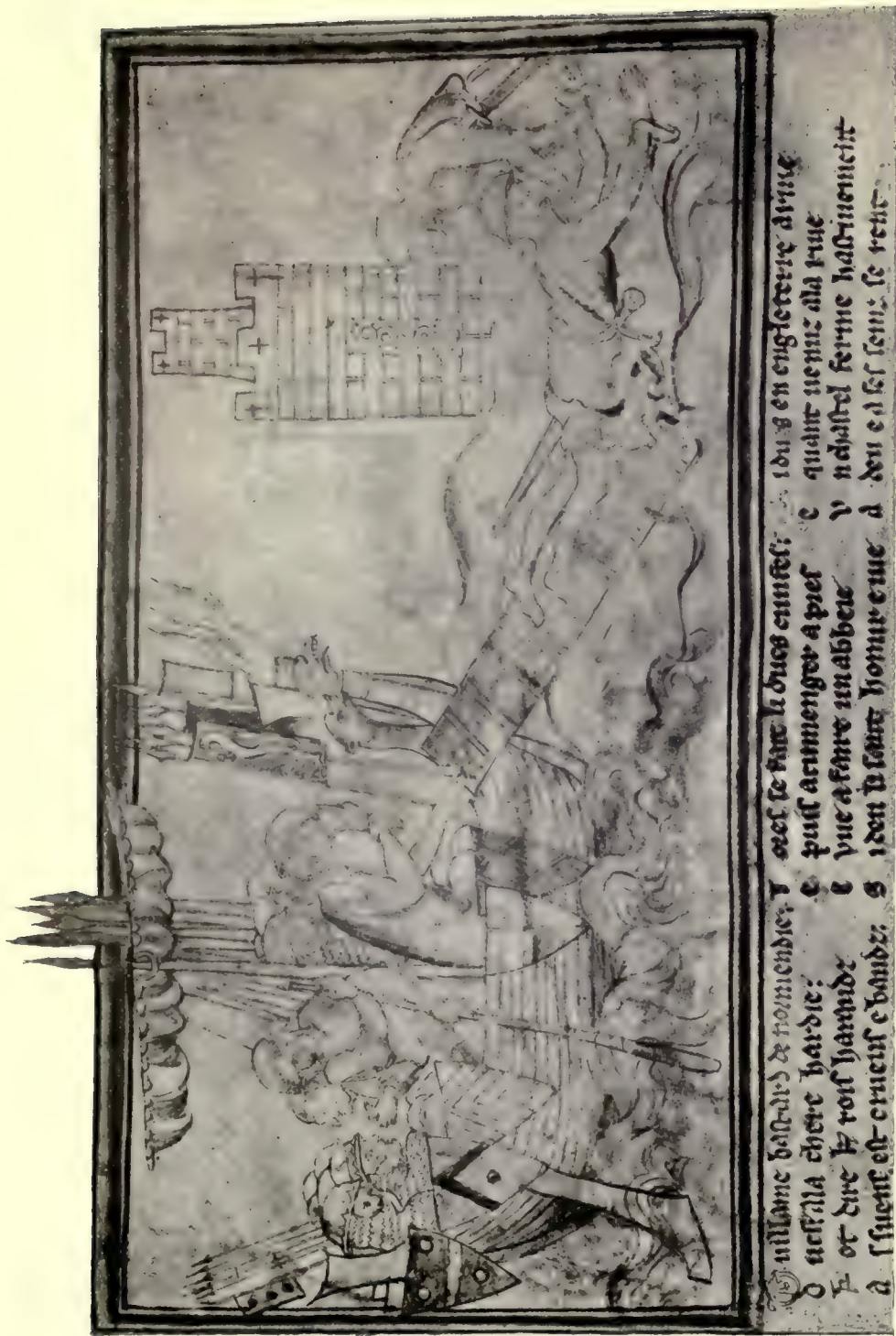
All the known recorded evidences relating to Hastings before the year of the Norman Conquest have now been quoted, and it will be remarked how few there are, and how large are the gaps which remain to be filled up. It may now be fully realized how little there is to support those unwarranted and high-flown speculations and theories which have occasionally figured in many so-called guide-books and histories of Hastings.<sup>3</sup>

<sup>1</sup> It is strange that the Court of the Rape seems to have been called the "Lathe Court." This seems to point to the fact that originally the county was divided into "lathes," as was Kent.

<sup>2</sup> The first compound of this word is no doubt our buss, as in herring-buss; Old Norman, *bussa*, a large boat; Old High German, *Buso*.

<sup>3</sup> For a history of the coinage of Hastings see Appendix.





William bastid de normendie: et oest se fait li ducs cuntes: idu s'en engleterre aue  
 O uesilla chere hardie: e puit aruengier a pief e quant ueniz ala rue  
 Et ot dire li rois hardie: e pue a faire un abbey v nchastel ferme hastinencit  
 a s'uent est crueus e boudz: s' iden li saint homie eue a deu e les semz se rent

THE LANDING OF WILLIAM, DUKE OF NORMANDY.

From the MS. *Estoire de Seint Edeuard le Rei*; Cambridge University Library (see page after 568, vol. ii, post.).





## Part II

# A CHRONICLE AND CHARTULARY OF THE CASTLE AND CHAPEL OF HASTINGS FROM THE CONQUEST OF WILLIAM I. OF ENG- LAND TO THE DISSOLUTION OF THE MONASTERIES

### CHAPTER I

### WILLIAM I



**A**FTER the battle of Hastings, as William of Poitiers informs us, the Duke "gave the defence of Hastings to an active commander before departing for Romney." This commander, as we learn from Orderic Vitalis (512, B.), was Humphrey of Tilleul<sup>1</sup> (Umfridus de Telliolo), "who had undertaken the custody of the Castle of Hastings from the first day of its building." Probably he continued to strengthen the works of defence at the Castle, and perhaps some of the older Norman building-work which we now see there was erected under his supervision. In March, 1067, William I. returned to Normandy,<sup>2</sup> and, according to Florence of Worcester, he then specially charged Bishop Odo, Earl of Kent, and Osbern, the Dapifer, Earl of Hereford, with the building of fortresses. Humphrey of Tilleul was married to the sister of Hugh Grantmesnil, then Governor of Winchester and of the Hampshire district, whose wife was Adelaide (Adeliza), the beautiful daughter of Ivo of Beaumont. It is narrated by Orderic Vitalis (512) that these two Governors, as well as other Constables, deserted their posts, and returned to Normandy, under the following extraordinary circumstances:—

"At this time some of the Norman women were so inflamed by passion that they sent frequent messages to their husbands, requiring their speedy return, adding that if they were not immediate, they should choose others. They would not as yet venture to join their lords on account of the sea-voyage, which was entirely new to them. Nor did they like to pass into England, where their husbands were always in arms, and fresh expeditions were daily undertaken, attended with much effusion of blood on both sides. But the king naturally wished to retain the soldiers while the country was in so disturbed a state, and made them great offers of land with ample and great powers, promising still more when the whole kingdom should be freed from their opponents. The lawfully elected barons and leading knights were in great perplexity, for they were sensible that if they took their departure while their sovereign with their brothers, friends, and comrades were surrounded by the perils of war, they would be publicly branded as base traitors and cowardly deserters. On the other hand, what were these honourable soldiers to do when their licentious wives threatened to stain the marriage-bed with adultery, and stamp the mark of infamy on their offspring? In consequence, Hugh de Grantmesnil, who was Governor of the Gewissæ—that is, of the district round Winchester—and his brother-in-law, Humphrey de Tilleul, who had received the custody of Hastings from the first day it was built, and many others,

<sup>1</sup> Tilleul-en-Auge, two leagues north of Grantmesnil. Benoît de St. Maur says: "The Duke placed a guard in Hastings, from the best of his knights, so as to garrison the castle well."

<sup>2</sup> Thierry says "from Pevensey."

# The Domesday Book

departed, deserting with regret and reluctance their king struggling among foreigners. They returned obsequiously to their lascivious wives in Normandy, but neither they nor their heirs were ever able to recover the honours and domains which they had already gained and relinquished on this occasion" (*Orderic Vitalis*, B. IV. ch. iv.).

The latter remark as to forfeiture does not appear to be correct. Hugh of Grantmesnil certainly did not forfeit his governorship, and Humphrey de Tilleul seems to have retained his sovereign's favour. The story is not consistent with the history of these men subsequently given by Orderic Vitalis. Robert de Rhuddlan, son of Humphrey,<sup>1</sup> was in high favour with the king long afterwards.

The Castle of Hastings was probably strongly garrisoned in 1085, when the Danes under Cnut were expected to invade England. William, who was in Normandy, raised and brought over to England with him "a large army of horsemen and foot from France and from Brittany, as never before had sought this land, so that men wondered how this land could feed all that army. But the king caused the army to be distributed through all this land among his vassals; and they fed the army, each according to the measure of his land. And men had great affliction this year; and the king caused the land about the sea to be laid waste, so that if his foes should land, they might not have whereon so readily to seize" (*Peterborough Chronicle*).

To what extent the above order for waste affected, if at all, the Hastings district cannot now be ascertained. If it had been very systematic it would surely have left some decided mark which would have been noticed in the Domesday valuation of the next year.

In Domesday the lands described as having been waste, presumably the result of the Hastings campaign of 1066, were the Manors of Drisnesel (near Salehurst), Higham (Northiam), Montifield, Nerewelle (Netherfield), Salherst, Selescombe, Brunham, Bexelie, Wittingham (Wilting), Holintun, Haslesse, Crowherst, Ivet (Pett?), and Gestlinge. Most of these had recovered and even increased in value at the time of the Domesday valuation of 1086.

Probably beneath the shadow of Hastings Castle, in the valley to the East, there had sprung up one of those Norman boroughs so frequently founded and fostered by the new Lords, consisting of a colony of tradesmen and craftsmen as an adjunct to the new garrison colony. Such may have been the "new burg" which, according to Domesday, was founded on the land of the Abbot of Fécamp, and the "*Nove Hasting*" of the Pipe Rolls.<sup>2</sup>

Immediately following the above quoted passage in the *Peterborough Chronicle*, and under the same year (1085), we read that at midwinter (25th December) the King was at Gloucester with his "Witan":—

"After this the king had a great council and very deep speech with his Witan about this land, how it was peopled, and by what men; then sent his men all over England into every shire, and caused to be ascertained how many hundred hides were in the shire, and what land the king himself had, and cattle within the land, or what dues he ought to have, in twelve months from the shire. Also he caused to be written how much land his archbishops had, and his suffragan bishops, and his abbots, and his earls; and—though I more narrate somewhat at length—what

<sup>1</sup> I find it stated in a MS. (early nineteenth century; the Herbert MS., see *post*) that "Robert de Roclint," son of Humphrey de Tilleul, was appointed Governor of Hastings Castle after his father. I do not know the authority. I presume, however, that there is some sort of foundation for such a statement (?).

<sup>2</sup> "*In opat cast' nove Hasting*." "In work at the Castle of Hastings £24, by writ of the King, and by view of Ade de Charringes and Sanson de Gestninges and Master Torold" *Pipe Roll* 28, Henry II (1182), m. 7.dors. "Sudsexe."



## Count Robert of Eu

or how much each man had, who was a holder of land in England, in land, or in cattle, and how much money it might be worth. So very narrowly he caused it to be traced out, that there was not a single hide, nor one yard of land, nor even—it is a shame to tell, though it seemed to him no shame to do—an ox, nor a cow, nor a swine was left, that was not set down in his writ. And all the writings were brought to him afterwards.”

Notwithstanding the extraordinary detail of this Domesday record, many instances occur where descriptions of the utmost importance are seemingly omitted, or else have been entered out of their proper order. These omissions and misplacements are probably due to some oversight in the final compilation of the record, after the return of the writs by the Commissioners to Winchester. There is no omission more curious than the absence of all direct mention of Hastings Castle or town. A slight but indirect reference does occur with respect to Hastings in the following account given of the land of the church of Fécamp in the Rape of the Count of Ou (Eu):—

“ In Gestelinges Hundred the Abbot of Fécamp holds Rameslie of the king ; and held it of King Eadward, and it then vouched for 20 hides, now for 17 hides and a half. There is land for 35 ploughs. In demesne is one plough ; and 110 villeins, less one, have 43 ploughs. There are five churches, returning 64 shillings. There are 100 salterns of £8 15s., and 7 acres of meadow and wood for pannage of two hogs. In this manor is a new burg, and there are 64 burgesses returning £8, less 2 shillings. In Hastings 4 burgesses and 14 bordars return 63 shillings.

“ Of this manor Robertus de Hastings holdes 2 hides and a half, of the Abbot, and Herolf half a hide. They have 4 villeins and 4 cottars and 2 ploughs. The whole manor in the time of King Eadward was worth £34. Now the Abbot's demesne is worth £50, and that of his men 44 shillings” (*Domesday Book*, VIII. col. 2, line 34).

It is very probable that the town of Hastings was destroyed at the time of the Norman Invasion in September, 1066, and it may have suffered again under the order of 1085 above quoted. The “ new burg ” of Domesday not improbably refers to the beginning of a new town of Hastings to the eastward, where it now stands, in the valley of the “ Bourne,” which forms part of the present manor of Brede. This manor seems to represent the old manor of “ Rameslie ”<sup>1</sup> of Domesday, for it includes the same hundreds as are mentioned in Domesday, and was also land belonging to the church of Fécamp in this and in later years.

Another reference incidentally mentions the Castlery of Hastings in the following words :—

“ In Bexelei Hundred.

“ Osbern holds of the Count Bexelei (Bexhill). Bishop Alric (of Selsey)<sup>2</sup> held it in the time of King Eadward, because it belongs to his See, and afterwards held it until King William gave the Castlery of Hastings to the Count. In the time of King Eadward and now it vouched for 20 hides. There is land for 26 ploughs” (*Domesday Book*, V. col. 2, line 22).

Now Bishop Alric was deposed from the See of Selsey in 1070, and therefore the grant of the Castlery to Robert, Count of Eu (which is first mentioned here), must have taken place before that date.

As Count Robert of Eu was the first lord of the Castlery of Hastings, which remained in his family for many years, and as his descendants will be frequently mentioned in this history, it may be as well to give some account of his origin and connexions.

<sup>1</sup> I have never met with the name of Rameslie in any document elsewhere than in Domesday Book. There is a Ramslye Farm in the parish of Frant, which may be a detached portion of the old manor of Rameslie.

<sup>2</sup> See the account of the prebend of Bexhill and Bulverhythe,

## The Family of Eu

The early history of the family of Eu has been somewhat difficult to unravel. Richard I. (Duke of Normandy, died 996), surnamed the Fearless, married Gunnor, daughter of Herfast (died 1031). Their son, Richard II., surnamed the Good (died 6th August, 1026), succeeded to the Dukedom of Normandy on his father's death. He had a uterine brother (*uterinus frater*) named William, the father of whom we do not know.<sup>1</sup> To this William was granted the County and Castle of Eu. At the time of its grant to William it was an ancient building, having been a stronghold of Rolf. The original fortress now no longer exists, but it formerly stood on the border-line between Normandy and Ponthieu. It was a citadel of great importance, and a favourite resort of the Norman dukes. Count William of Eu married Lesceline, daughter of Turketill d'Harcourt, who, as a widow, subsequently founded the Abbey of St. Pierre-sur-Dive, in 1057 (*Gallia Christiana*, vol. xi. p. 856). She was also a benefactress of the Church of secular canons, Notre Dame, at Eu (transferred to regulars, 1177; *Gallia Christiana*, vol. xi. p. 293), founded by her husband at Eu about 1024. She became joint founder with her son Hugh of the Nunnery of St. Désiré, near Lisieux, where she afterwards lived as a nun; and dying there on February 1st, 1057, was buried in the choir of the nuns, in front of the high altar. Her son Hugh, the Bishop of Lisieux, was buried in 1077 in the same place, in the presence of his brother, Robert, Count of Eu (see *Orderic Vitalis*, B. V. c. viii., where Hugh's epitaph is given). It was at this church that William, Duke of Normandy, received his bride Matilda from her father, Count Baldwin of Flanders. Count William had three sons by her. The respective ages of these sons, and the order of their birth, are open to question; but their names were Hugh, William Busac, and Robert. Hugh became Bishop of Lisieux (1050 till 1077). William Busac is stated by William of Jumièges (vii. 20) to have claimed the Duchy of Normandy, and at that time to have been in possession of the Castle of Eu. The Castle was besieged and taken from him by William, Duke of Normandy, and he was banished from the Duchy (1058). Robert of Eu, his brother, was then put in possession of the Castle and County of Eu. Robert was one of the chief companions and counsellors of William, and throughout his career proved himself a loyal and gallant soldier in the service of his lord and kinsman. He fought by William's side at the Battle of Mortemer, in Normandy, in 1054. He was one of the nobles who were summoned to the Council of Lillebonne, when William asked his great vassals for assistance to invade England; and he contributed sixty ships towards the flotilla which bore the Duke's soldiery to the shores of Sussex. He fought also at the Battle of Hastings, and, as Wace says of him and his companions, they "demeaned themselves like brave men, and those whom their blows reached were ill-handled."

Nor was this the sum of his services to the Conqueror. He appears to have followed William through the various campaigns which led to the conquest of England. He was with the King when the Normans dispersed the Danes near Lindsey (1069), and he was there left in company with the Conqueror's half-brother, the Count of Mortain, to check any further incursions of the Danes. At Christmas, 1069, they surprised the Danes in the Fens, driving them to their

<sup>1</sup> Vol. ix., *Yorkshire Arch. Journal*. Mr. Chester Waters makes this Count William of Eu a bastard son of Duke Richard I. of Normandy by an unknown mother.



## Foundation of Collegiate Church

ships with great slaughter (*Orderic Vitalis*, B. IV. c. 5). In later days, when matters were more settled, William gave him the Rape of Hastings, adjoining the lands of his old comrade and kinsman, the Count of Mortain, lord of the Rape of Pevensey. Robert of Eu probably had a residence within the newly-built Castle of Hastings; but we find that when William was five years away in Normandy—namely from June, 1075, to 1080—the Count was frequently at his Court.<sup>1</sup>

At Hastings Castle he established and endowed a church and college of secular canons in honour of the Blessed Virgin Mary, which has since been known as the Church of St. Mary-in-the-Castle of Hastings. In a deed dated 25 Henry IV., it is recorded that the Bishop of Chichester (Selsey) held the jurisdiction of "a certain church of the Blessed Mary, within the Castle of Hastings, in the county of Sussex, since erected and established into a collegiate church by a certain Earl of Eu," from which it would appear that a parish church of that name existed in the Castle prior to its rebuilding or re-establishment by Count Robert. It would not, however, be well to be over-confident in this matter, since the deed is of a comparatively late date; also, we are not aware of the authority for the assertion, and the statement itself may have been drafted without express authority of record in the interest of the See of Chichester, whose bishops were ever anxious to persuade a succession of sovereigns that from time immemorial they had held and exercised jurisdiction over the church. The original foundation-charter granted to the canons by Count Robert, seems to have been lost as early as the reign of Henry I., since we find that his grandson, Count Henry of Eu, was obliged to hold an inquisition and take depositions "of prudent and old men" before he could discover what grants Count Robert had made to the Church and its canons. The result of this inquisition, as recited in the deed, is given below:—

### THE FOUNDATION CHARTER OF THE COLLEGIATE CHURCH OF ST. MARY IN THE CASTLE OF HASTINGS.

#### COUNT HENRY'S CHARTER.<sup>2</sup>

In the name of the Holy and Undivided Trinity, H(enry) by the consent of divine mercy, Count of Eu, to all his chief men (primates) and subjects, and all his people (men) both in France and England, Greeting and benediction from the Lord God. To deserve and obtain his salvation (*salutari suo*), seeing that it behoves us not only to be successors in those things that belong to us by hereditary right, but rather to be heirs also of our pious forefathers, I therefore wish those holy places and churches which my fathers founded, to be revered and exalted: and although I am unable to augment the benefits belonging to those places as I should wish, I take such care as I can, at least to preserve entire the things demised to them by my fathers.

Forasmuch as for many years now the rents of the church of St. Mary of Hastyngs, both in my time and previously, without my knowledge,—many being led astray by their great cupidity,—have been demolished and privily taken, I have thought it good and desirable in the presence and view of all the Canons of that place, and of my barons called together, to order a record to be made of what my father, or rather my grandfather, R(ober) Count of Eu, gave and granted in

<sup>1</sup> He was witness to a charter of St. Stephen's, Caen, in April, 1077 (*Gallia Christiana*, vol. 9, Inst. 68), and in the same year (25 July) was at his brother Hugh's funeral at Lisieux (*Ord. Vit.*, B. V. c. iii.). He also witnessed the confirmation to the monks of the Holy Trinity, of the monastery at Rouen (*Cartulary S. Trin. Roth.*, p. 463).

<sup>2</sup> Reference to notes to various readings:—No. 1. From Chancery Misc. Rolls,  $\frac{4}{3}$ . No. 2. Another reading of No. 1. No. 3. The document here translated from the Bishop's Petition (1421). Chancery Misc. Rolls,  $\frac{4}{3}$ . No. 4. Another reading of No. 3 (*Herbert MS.*). No. 5. Another reading of No. 3 (*Sussex Arch. Soc.*, vol. xiii.). For a still later reading from the Chapter of St. Paul's MSS., see Appendix (*post*).



# The Foundation Charter

alms to the prebends and to what brothers they were originally constituted, so that, when this is ascertained, I may know whether the present (canons) have lost what their predecessors had. The following record therefore of the benefits bestowed upon the church is made before us by the wise and seniors among you, as I had ordered, for the sake of concord: to wit R. Count of Eu, founder and builder of the Church of St. Marie of Hastings, gave and demised to Gwymundus,<sup>1</sup> the prebend of the Chapel of Wartlyng,<sup>2</sup> and that tithe of that place to wit, so much as there should be from all the demesne of the aforesaid lord in the manor thereto adjacent, and the land of Hada,<sup>3</sup> to wit two rods together and in (*ad*) the said manor, a wist of land with the right for one guest<sup>4</sup> to remain on the said land and the tithe of salt of the said manor of the lord's demesne and a certain part in the marsh, to make salt-pans, and the Chapel of Hoo,<sup>5</sup> and the chapel of Nenefelde,<sup>6</sup> and the tithes of Hoo,<sup>7</sup> wheresoever they lie, to wit whatever part of the manor he may have, the tithe thereof to the aforesaid prebend. He also granted to Hoo<sup>8</sup> two wists of land with marsh and meadow, and the tithe of Franchusta,<sup>9</sup> and the tithe of Donyngate,<sup>10</sup> and the tithe of Cochersia,<sup>11</sup> and the tithe of Codyng,<sup>12</sup> and a dwelling in the castle and another in the baily at the bridge.<sup>13</sup> To the prebend of William Allek<sup>14</sup> the church of Bekele<sup>15</sup> and the tithes and half a hide of land and one rod, and at Long Cistele<sup>16</sup> (Cistele longa) two rods and the chapel of Bolewarehethe,<sup>17</sup> and certain land close to that monastery,<sup>18</sup> and two thousand herrings every year, with certain other customary fishes,<sup>19</sup> and the Church of Stotting,<sup>20</sup> with land and the tithe, and the tithe of Chiteham,<sup>21</sup> the third part of the tithe of Blakebroke,<sup>22</sup> and one dwelling in the baily, and another beneath. And for the other prebend<sup>23</sup> Roger purchased a garden at Boseham which Ralph de Balliol granted to him and his successors. To the prebend of Hugh de Floe,<sup>24</sup> Walter, son of Lambert, granted tithes of his lands and of his vavassors (*favessoribus*),<sup>25</sup> and right to a guest<sup>26</sup> at Haylesham.<sup>27</sup> And he constituted this prebend also in this way so that after the death of the Canon, the heir of Walter might constitute another Canon with the consent and election of the Bishop,<sup>28</sup> no favour being shown for money. And for this prebend he set aside for Geoffrey, brother of the aforesaid Hugh, the tithe of Casebury<sup>29</sup> and the church of Gastelyng,<sup>30</sup> and the tithe of Genesyng,<sup>31</sup> the tithe (*sic*),<sup>32</sup> and also a dwelling in the Castle. For the prebend of Hubert<sup>33</sup> de Marlreyght<sup>34</sup> the tithe of Agyngton,<sup>35</sup> and Count H(enry) increased this prebend by a meadow the other side of the mill under the Castle. To the prebend of Eustace, Rainbert<sup>36</sup> the sheriff (*vic*) gave Robert's concession<sup>37</sup> the church of Saleherst,<sup>38</sup> and

<sup>1</sup> 1. Guymund; 2. Gymitingum; 4. Gwinerdu; 5. Guyamerdu.

<sup>2</sup> 1. Wertlinge; 2. Wertling. <sup>3</sup> 4. Hado. <sup>4</sup> 2. "cum hospite uno"—with one house.

<sup>5</sup> 1, 2. Hou. <sup>6</sup> 1. P... refeld; 2. Nenrefeld; 4. Novefeld; 5. Ninnefeld. <sup>7</sup> 1, 2. Hou.

<sup>8</sup> 1. Hou; 2. Houmsta; 4 and 5. Hoo. <sup>9</sup> 1. Sanherst; 2. Sanhersta; 5. The Franchises.

<sup>10</sup> 1. Noddigate; 4. Donyngate; 5. Duingigate.

<sup>11</sup> 1. Chochery; 2. Chocheria; 4. Cohesia; 5. Cocherste. <sup>12</sup> 1, 2. Coddigges; 5. Codinge.

<sup>13</sup> 1, 2. Gate; 4. Bridge. <sup>14</sup> 1. Alea (?); 2. Alice (?); 4. Alleck; 5. Fitz-Allak.

<sup>15</sup> 1. Bexely; 2 and 4. Bexela; 5. Beckley.

<sup>16</sup> 1 and 2. Casteleboga; 4. Castlebogram.

<sup>17</sup> 1. Boleware; 2. Bolewar.

<sup>18</sup> 1. next the monastery there; 4. adjoining the monastery there.

<sup>19</sup> 1. "certain other customary fish"; 2. "with certain other fish"; 4. "with certain other customs of fishes"; 5. "with certain other kinds of fish."

<sup>20</sup> 1. Stuting; 2. Stuting; 4. Stotling; 5. Stotting.

<sup>21</sup> 1. Chicheham; 2. Chicheton.

<sup>22</sup> 2. Blakbroc.

<sup>23</sup> 1 and 2. "in this prebend."

<sup>24</sup> 1. Flescisc; 2. Flescys; 4. Flec; 5. Flocer.

<sup>25</sup> 1. successors; 4. and of his fisherman.

<sup>26</sup> 1. one host; 2. one house.

<sup>27</sup> 1 and 2. Helesham.

<sup>28</sup> 1. "Chapter." [This document is recited in the Bishop's Petition (1421), and the "election of the Bishop" is here given. The king's records in the Court of Chancery (*Ch. Misc. Rolls*,  $\frac{4}{85}$ ) have the "election of the Chapter." This being a vital point in the question of jurisdiction of the bishop over the Collegiate Church, it seems probable that the word has been purposely altered from the original by one party or the other.]

<sup>29</sup> 2. Caseburna; 4. Easebury; 5. Casebury.

<sup>30</sup> 1. Gestlinge; 2. Gestling; 5. Gestlings.

<sup>31</sup> 1. Genlinge; 2. Genesing.

<sup>32</sup> 1. "and common"; 2. "the tithe"; 4. "the common."

<sup>33</sup> 1 and 2. Ulberi; 4. Hulbert; 5. Hubert de Maybent.

<sup>34</sup> 1 and 2. The tithe of Marlpeast.

<sup>35</sup> 1 and 2. Aginton; 5. Gygyntone.

<sup>36</sup> 1. Reinbert; 2. Ramb'; 5. Rainbertus.

<sup>37</sup> 1. by consent of Count Robert.

<sup>38</sup> 1. Sallest; 2. Sallesta; 4. Salerst; 5. Salehurst.

## Foundation of Collegiate Church

land, and the tithe of the land of Robert Pellicius,<sup>1</sup> and the tithe of Hathyngham,<sup>2</sup> and the tithe of Somerwell,<sup>3</sup> and the church of Montefeld,<sup>4</sup> and the tithe and a virgate of land and the tithe of Hegia,<sup>5</sup> and the church of Odymer,<sup>6</sup> and the tithe of Dorham,<sup>7</sup> and the tithe of Marslond,<sup>8</sup> and the tithe of the subcastle,<sup>9</sup> and the tithe of Soanel,<sup>10</sup> meadow, and of the meadow which Colebert<sup>11</sup> holds, and of the lands (*terruram*) (*sic*) of Gerteselham,<sup>12</sup> and the Count gave a dwelling in the Castle, and the said Rainbert gave to this prebend the meadow of Solerta.<sup>13</sup> To Aucher<sup>14</sup> the prebend of the church of Thuroc,<sup>15</sup> and the land to the said church belonging, with the meadows and marshes and the tithe of the said manor, and to Gistelesbergham<sup>16</sup> two rods of land and one dwelling in Hestrea,<sup>17</sup> and one in the Castle. To the prebend of Theobald the church of Pesemersshe and the land to the same belonging, and the church of Beckley (Beccalia),<sup>18</sup> and the land in like manner and the church of Hiham,<sup>19</sup> and the land in like manner and the church of Iden, and land and the tithe and the chapel of Playden, and half the tithe of Cecymore,<sup>20</sup> and half of Tottona,<sup>21</sup> and two virgates of land in Haldenesham,<sup>22</sup> and the tithe of Bosemay,<sup>23</sup> and of Chetyngisham<sup>24</sup> and Paulilemore<sup>25</sup> at Rye, and half Hanstrede.<sup>26</sup> To the prebend of Geoffrey de Blanchi<sup>27</sup> two<sup>28</sup> dwellings in the baily and half a hide of land Cildecona,<sup>29</sup> and half the tithe of Gerlynge<sup>30</sup> and half a hide at Hornham<sup>31</sup> and the chapel of Welchnore,<sup>32</sup> and the tithe and a rod and a half of land of Tyntona,<sup>33</sup> and two sheaves of the tithe of Blakbroke and the tithe of Estfelde.<sup>34</sup> To the prebend of Ralph Tayardy,<sup>35</sup> a dwelling in the castle and a garden outside the baily and the tithe<sup>36</sup> on the meadow, and from Osebert's land<sup>37</sup> and from the under meadow, and half a hide of Herchubergham<sup>38</sup> and the Chapel of Wityng<sup>39</sup> and half the tithe of Wilesent,<sup>40</sup> and the chapel of Holyngtone,<sup>41</sup> and the tithe and the church of Iwesm,<sup>42</sup> and the tithe and land with meadow, and three virgates of land at Prelham and the chapel of Bodyham, and the tithe and parishioners of the said Chapel dying at Iwosteham,<sup>43</sup> and the tithe of Denegate.<sup>44</sup> To the

<sup>1</sup> 1. Pelicius ; 2. Pelicus ; 4. Pelice.

<sup>2</sup> 1 and 2. Hachingham ; 4. Hathyngham.

<sup>3</sup> 1. Souwell ; 2. Souwella ; 4. Somerwell ; 5. Somerville.

<sup>4</sup> 1 and 2. Mundefeld ; 5. Mountfield.

<sup>5</sup> 2. Hegra ; 5. Hegea.

<sup>6</sup> 1, 2. Odemere ; 5. Edymere. 1. adds "and tithe."

<sup>7</sup> 1. Borham ; 2. Borha ; 4. Dorham ; 5. Boreham.

<sup>8</sup> 1 and 2. Maselilonde ; 5. Marseland.

<sup>9</sup> 1 and 2. "under the Castle."

<sup>10</sup> 1 and 2. Sohanel ; 4. Scavel ; 5. Soanellus.

<sup>11</sup> 1. Coleb' ; 2. Colebr' ; 5. Colbertus.

<sup>12</sup> 1. Gerchesell ; 2. Gerchessells ; 4. Gerteselham ; 5. Gertselle.

<sup>13</sup> 1 and 2. Salerta ; 5. Salenta.

<sup>14</sup> 1. Auch' ; 2. Anthony.

<sup>15</sup> 1. Turroc ; 2. Tarroc ; 4. Thurrock.

<sup>16</sup> 1. Cistebergham ; 2. Cistelburg ; 4. Gistelburgham ; 5. Castlebergh.

<sup>17</sup> 1 and 2. Estheda ; 5. Hestrega.

<sup>18</sup> 1. Bectal ; 4. Becaley.

<sup>19</sup> 1 and 2. Northyham ; 4. Higham.

<sup>20</sup> 1. Cetenore ; 2. Cotemora ; 4. Catenor ; 5. Cicenore.

<sup>21</sup> 1 and 5. Totton ; 2. Tortono.

<sup>22</sup> 1 and 2. Aldenesham.

<sup>23</sup> 1. Bosmei ; 2. Gusmei ; 4. Rosemary ; 5. Bosenore.

<sup>24</sup> 1 and 4. Chetingsham ; 5. Checkingham.

<sup>25</sup> 4. Paulileshore.

<sup>26</sup> 1. Ansed ; 4. Howstrete ; 5. Hamstrete.

<sup>27</sup> 1. Blangi ; 2. Blangas ; 4. Blanchi ; 5. Blanche.

<sup>28</sup> 1 and 2. one ; 4. two ; 5. two

<sup>29</sup> 1. Cildeconam ; 2. Cildetona ; 4. Childerton ; 5. Gildewelthmere.

<sup>30</sup> 1 and 2. "the tithe of Gerlinges" ; 4. "half the tithe of Gerlinges."

<sup>31</sup> 1. Hornam ; 2. Horna.

<sup>32</sup> 1. Wechtune ; 2. Wetsitun ; 4. Welchnor (?).

<sup>33</sup> 1. "one rod of land there and the tithe of Tuton" ; 4. "and one virgate and a half of Tylton" ; 5. "one and a half virgates of land 'De Tinturna.'" "

<sup>34</sup> 1. Estflez ; 2. Esflet ; 4. Estfeld ; 5. Estflete.

<sup>35</sup> 1. Taiard ; 2 and 4. Tarard ; 5. Tayard.

<sup>36</sup> 1. "of land upon the park" ; 2. "of the land upon the park" ; 4. "upon the meadow and of the land upon the park" ; 5. "and the tithe of a meadow."

<sup>37</sup> 1. Osbert of the under-park ; 2. and the underpark ; 4. Osbert de Sub-parco ; 5. and of Underpark.

<sup>38</sup> 1. Herthenbergam ; 2. Herthonberga ; 5. Herthberga.

<sup>39</sup> 1, 2, 5. Wiltunge ; 4. Wylting.

<sup>40</sup> 1 and 2. Wilesham ; 4. Wilescet ; 5. Vilesent.

<sup>41</sup> 1. Holinton ; 2. Holintona.

<sup>42</sup> 1. Ywerstham ; 2. Ywirstham ; 4. Iversterham ; 5. Yewerste.

<sup>43</sup> 1. "the deceased parishioners of the same chapel at Iwerstham" ; 5. "the customary fees arising from the burial of the parishioners of the same chapel dying at Yewerste."

<sup>44</sup> 1 and 2. Tenegate ; 4. Donegate ; 5. Tennegate.



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prebend of Roger Danyel half a hide at Boclacaly,<sup>1</sup> and at Gertesellam<sup>2</sup> three rods of land, and at Smalefelde<sup>3</sup> half a rod, and at Burgesham<sup>4</sup> a rod and the church of Breselyg,<sup>5</sup> and the tithe and land to the said church and a rod held by Cormus,<sup>6</sup> and the monastery of Rotherd',<sup>7</sup> and the tithe and land of the mill<sup>8</sup> so much as belongs<sup>9</sup> to the treasurer, and of the same tithe of<sup>10</sup> the church of St. Andrew. And to all the aforesaid prebends Count Robert granted four ambras (measures) of salt at Rye, and Hubert<sup>11</sup> gave to all the prebends of the aforesaid canons, common of pasture for their beasts and pannage for hogs, and to the clerks the servants<sup>12</sup> of these prebends he granted the procuration of two persons<sup>13</sup> so long as they should be in those places and in the manors where the churches were which they served. To Aucher's<sup>14</sup> prebend belongs the government of the grammar-school, and to Ungi's<sup>15</sup> prebend, the government of the singing-school. These things aforesaid appertain to the food and clothing of the brothers serving the church. But the things written below are to the use of the church only : to the light ornaments, and other necessities, the tithes of money on all payments of his tribute from the Rape of Hastings<sup>16</sup> wheresoever it lies. And Ralph son of Ralph to buy incense for the church gave a tithe of the meadow under the Castle. Reinbert<sup>17</sup> the sheriff (*vic'*), with the Count's consent, gave fifteen pence (from) the land of Odymer for fifty shillings which he owed the church. The said Reinbert<sup>18</sup> the sheriff likewise then granted to the Canons of the church of the Blessed Mary of Hastings the church of St. Andrew in common. And Trogo de Pevensea<sup>19</sup> gave to the said canons (a tithe?) of twenty ambras of salt in common every year.<sup>20</sup> Ingram de Eu gave to the same in common, one half tithe of the corn of Wilyng, and the whole tithe of beasts (the stock), and Guy his brother who came to the land, granted the same thing.<sup>21</sup> And besides the whole tithe of the land of Guinennius<sup>22</sup> and of Robert de Creolio', he gave to the said Canons in common for himself and his sons, half the land he had at Westregnie.<sup>23</sup> And Ingram de Scot' (? Scotney) and Matthew<sup>24</sup> gave to the said canons in common one dwelling in Estoda<sup>25</sup> for the soul of their<sup>26</sup> father and for themselves. And Wynning<sup>27</sup> the priest gave to the said canons in common two parts of a dwelling<sup>28</sup> which he held from the Count. And Siffred<sup>29</sup> the priest gave to the said canons the church of St. Sepulchre and three gardens upon condition, namely, that Boniface, in whose gift is the land in which the church is, should concede this donation to the brothers. And every year the said Boniface is to have two shillings<sup>30</sup> in money from the aforesaid canons at the feast of All Saints. And I, Count H(enry), grant my benefits aforesaid to the church of St. Mary of Hastings and to the Canons of the said church. And if any other things are done afterwards by others, I return thanks also to them whosoever they be, who shall (do) have done any good to the abovesaid church of St. Mary, and its servants. Of this abovesaid grant or donation of Count H(enry), Hugh the Dean,<sup>31</sup> William Fitz Matelyn,<sup>32</sup> and others are witnesses (not dated).

<sup>1</sup> 1. Betsaclei ; 2. Betsaelei ; 4. Beclocaley ; 5. Bokeleary.

<sup>2</sup> 1. Grerchestellam ; 2. Grerchestolla ; 4. Gertesellam ; 5. Certesella.

<sup>3</sup> 1. Smalefeldham. <sup>4</sup> 1 and 2. Burgirsam ; 4. Burghersham ; 5. Bargeham.

<sup>5</sup> 1 and 2. Brithlinges ; 4. Bricelyng ; 5. Breseling.

<sup>6</sup> 1. Tormus ; 2. Tomus ; 4. Corin ; 5. Turnus. <sup>7</sup> 1. Bochehude ; 4. Rocherd ; 5. Botherd.

<sup>8</sup> 2. Molinus. <sup>9</sup> 1. "to the treasure" ; 2. "to the treasurer."

<sup>10</sup> 1. "and" ; 2. "of" ; 5. "and."

<sup>11</sup> 1. "except Hubert and he granted."

<sup>12</sup> 1. serving. <sup>13</sup> 1. of the houses.

<sup>14</sup> 2. Anthony.

<sup>15</sup> 1, 2. W..... ; 4. Unngi.

<sup>16</sup> 1. "the tenth penny from all rent of their farm out of the Rape, etc." ; 2. "the tithe of money of the rent of his farm of the Rape, etc."

<sup>17</sup> 1. Rai(n)bert ; 2. Raib' ; 4. Rambertus.

<sup>18</sup> 1. Count Robert ; 2. Rodeb'ert the Count ; 4. Rambertus the sheriff.

<sup>19</sup> Drogo de Pevenescell ; 4. Trego de Peversell.

<sup>20</sup> 1. At Odimere ; 2. In other readings the words "at Odemere" belong to the next sentence.

<sup>21</sup> 1. "Ingelram of Eu gave to the same in common half of the tithe of the yearly increase of Wytlinges and the whole tithe of the possession, and Guy his brother granted that time when he came to the land." 2. "Ingelram de Augo gave to the same canons in common every year at Odemera half the tithe of corn of Wertling, and all the tithe of ———, and Guy his brother when he came to the land granted the same."

<sup>22</sup> 1. Ginmemere ; 2. Gunnemerus ; 4. Gwinenci.

<sup>23</sup> 1. Westreys ; 2. Westregias.

<sup>24</sup> 1. "And Ingelram de Scot' with his mother" ; 2. "And Ingelram de Scot' and his man" ; 4. Matthew. <sup>25</sup> 1. Esthethe ; 2. Esthetham ; 4. Estodo. <sup>26</sup> 1. "his."

<sup>27</sup> 1. Wimung ; 2. Wuning ; 4. Wyming.

<sup>28</sup> 1. in Esthethe ; 2. in Esthetham.

<sup>29</sup> 1, 2. Godfrey ; 4. Siffred.

<sup>30</sup> 1. pence ; 4. shillings.

<sup>31</sup> 1, 2. The clerks are witnesses.

<sup>32</sup> 1, 2. Marl' ; 4. Materlyn.



## Death of "the Conqueror"

This closes the list of evidences which have been preserved to us relating to the Castle of Hastings down to the date of the death of William the Conqueror (Sept. 9th, 1087).

The Conqueror lying on his death-bed in the priory of St. Gervais without the walls of the city of Rouen, summoned his second son, William Rufus, to his bedside, and there gave him a sealed letter, which he had addressed to Archbishop Lanfranc, concerning the appointment of his successor to the throne of England (*Ord. Vit.*, B. VII. ch. xvi.). The Conqueror, fearing that riots and tumults might break out on his death, commanded Rufus to embark for England without delay. Then kissing him, he gave him his blessing, and urged him to hasten his departure, cross the sea, and secure the crown. The Prince immediately left, and rode towards the coast. The Conqueror, in fearful agony, and conscience-stricken with the recollection of the awful injuries and oppressions that he had inflicted upon thousands of his fellow-creatures throughout his troublous reign, lay in fear of death, and trembling at his doom. Anselm, Prior of Bec, had been sent for by his special request, to administer the last consolations, but was prevented from so doing by illness.

At length, early on Tuesday morning, Sept. 9th, "the King, rousing just when the sun was beginning to shed his rays on the earth, heard the sound of the great bell of the cathedral of Rouen. He inquired what it meant; his attendant answered, 'My lord, the bell is tolling for Primes in the Church of St. Mary.' The King raised his eyes towards heaven with deep devotion, and lifting up his hands, said: 'I commend myself to Mary, the Holy Mother of God, my heavenly mistress, that by her blessed intercession I may be reconciled to her well-beloved Son, our Lord Jesus Christ.' Having thus spoken, he immediately expired" (*Ord. Vit.*).<sup>1</sup>

<sup>1</sup> *Battle Abbey Chronicle* (1176).—"His sickness daily increased, and when he perceived that his end drew near, he was not unmindful of the Abbey he had reared in England, but took care to command his son William, whom he had constituted his successor to the kingdom, that, upon his return to this country to receive the crown, he should endow the convent with one manor of forty pounds, over and above what he himself had freely conferred upon it. He gave, moreover, his royal pallium, beautifully ornamented with gold and very costly gems, and 300 amulets suitably fabricated of gold and silver, many of which were attached to chains of those metals, and contained innumerable relics of the saints; with a feretory in the form of an altar, in which also were many relics, and upon which, in his expedition, mass had been accustomed to be celebrated. These things, among many others acquired by the kings his predecessors, he had obtained with the kingdom; and they had hitherto been preserved in the royal treasury, until now that he ordered them to be presented to the Abbey. He also gave orders for the speedy dedication of the Abbey with suitable honour. He (Rufus) obeyed these behests, and the sickness of the most excellent monarch increased, until at length, alas! on the 5th of the ides of September, in the 21st year of his reign, he expired. His earthly body was conveyed to Caen, to the church of S. Stephen, which he had founded, and there committed to the earth before the altar. The Holy Redeemer grant his spirit an everlasting kingdom!"

"The new king was not unmindful of his father's commands, but soon after sent to the Abbey of S. Martin his royal pallium, and the feretory of which we have spoken, with the 300 amulets resplendent with the excellence of holy relics. All these things were received at Battle on the 8th of the calends of November."

## CHAPTER II

### WILLIAM II



AFTER leaving his father's death-bed Rufus had lost no time in riding to the "Port of Wissant"<sup>1</sup> (*Ord. Vit.*), where the intelligence of his father's death followed him. He, however, appears to have embarked for England from the port of Touque, and to have landed at Porchester. In his company were Robert de Bloet (William's chaplain), and Eudo de Rye (Rye in Normandy), William's dapifer or steward. The proceedings on landing, as described in the history of the foundation of Colchester monastery, are of special interest in connection with the Castle of Hastings.

"Eudo seized the occasion, and with the father's leave went to William the younger, and exhorted him to persevere in the business. Then they crossed over to England and went to Porchester, and having gained the favour of William of Pontearce, received the keys of the treasury of Winchester, of which the said William was the custodian. Thence, Eudo without delay went to the Castle of Dover, and bound the custodians of it by an oath not to give up the keys of the fortress to any one except by his permission. He did the same at Pevensey and at *Hastings*, and at the other maritime castles, alleging that the King was going to stay in Normandy, and that he wished to secure all the fortifications in England by his seneschal. The business having been hurried on, he returned to Winchester, and there, at last, he divulged the King's death. Thus, while the other nobles in Normandy were treating with regard to the succession to the throne, meanwhile, by the zeal and aid of Eudo, William the younger was elected, consecrated, and confirmed as king in England" (*Cott. MS. Nero D. VIII.*, p. 345).

But although this master-stroke placed Rufus in possession of the throne of England without active opposition, a large number of the Barons were extremely dissatisfied; and within a few months they broke out into open rebellion, hoping to defeat Rufus, and to place his elder brother, Robert, Duke of Normandy, on the throne. The chief leaders in this rebellion (1088) were Odo, Bishop of Bayeux, who had just been released from prison, with the consent, though against the real wishes of the dying Conqueror. He was joined by Earl Robert of Mortain and Cornwall, Lord of Pevensey and Montacute, Earl Roger of Montgomery, and Bishop William of Durham (William of St. Carilef or Calais). The following were also among the rebels: Robert, Earl of Northumberland, Roger, Earl of Shrewsbury, Bishop Geoffrey of Coutances, his nephew, Robert of Mobray, and William of Eu.

This William of Eu must not be confounded with William, son of Robert, Count of Eu. The William of Eu here mentioned is separately referred to in Domesday.<sup>2</sup>

<sup>1</sup> A celebrated port of the Middle Ages, between Boulogne and Calais, 4½ miles from Boulogne.

<sup>2</sup> This William of Eu has usually been confounded with William, Count of Eu. The mistake—a somewhat pardonable one under the circumstances—has been made by all our historians, from Dugdale down to Stubbs and Freeman. In the chronicles, he never seems to be referred to as Count of Eu; but that he was nearly related to that house appears likely from his being described in Florence of Worcester's Chronicle as the King's kinsman. In many of the instances where the name occurs it is most difficult to determine which of the two Williams of Eu is intended. The



## Revolt of the Nobles

The Rev. R. W. Eyton, in his key to the Domesday Dorset Survey (1878, pp. 76, 120 note), has pointed out that the rebel William seems to have succeeded his mother and Ralph de Limesi in the ownership of about seventy-seven manors in the western and south-western districts of England, which had mostly belonged to Alestan of Boscombe (in Wiltshire) in the time of King Eadward. William of Eu and Robert of Mobray were among the chief confederates of Bishop Geoffrey of Coutances, at Bristol, harrying the land in that district. William occupied the Castle of Montacute by Ilchester, plundered Gloucestershire, and the royal town of Berkeley, and did great mischief everywhere with fire and sword (*Flor. Wig.*, 1088). William Rufus, now disowned by the majority of his Norman Barons, summoned an assembly of his English subjects, promising them freedom of the chase, and a restitution of their laws. "But this lasted nowhile" (*Sax. Chronicle*). William, Earl of Warren, who remained faithful to the King, received a wound in his leg by an arrow at the siege of Pevensey, from which he soon afterwards died. He was buried at Lewes.

Rufus caused a proclamation to be issued that all those who did not join his banner should be branded with the hateful name of "Nithing" (*William of Malmesbury*, 1088). The English, overjoyed at the thought of shaking off the yoke of the Norman lords, readily flocked to his standard. Tunbridge submitted to him, and he then besieged Bishop Odo in the Castle of Pevensey, the Roman walls of which were then almost washed by an arm of the sea.

Duke Robert, who was preparing a powerful army in Normandy for the invasion of England, sent on a vanguard to the support of Odo at Pevensey. But the English who guarded the sea, among the chief of whom we may reckon the Hastings Buscarls, attacked the fleet of this advanced force, and an immense number of the enemy were either put to the sword or drowned (*Henry of Huntingdon*, 1088). Roger of Wendover says: "But William the younger had now taken measures of defence by sea with his cruisers, which slew many of them on their passage to England, and sank others at sea, so much so that no one can tell the number that perished." William of Malmesbury's account is specially interesting: "During the interval of the siege the King's fleet destroyed a party which the Duke of Normandy had sent to assist the traitors, partly by slaughter, and partly by shipwreck; the remainder, intent on escaping, endeavoured to make sail, but being soon after disappointed by its falling calm, they became a matter of derision to our people, but to their own destruction, for that they might not be taken alive, they leaped from their vessels into the sea."

confusion has been further complicated by the fact that William, Count of Eu, died somewhere before 1100, and therefore about the time of William of Eu's cruel punishment and mutilation.

But it is clear that whereas William, Count of Eu's lands in England were not forfeited, and descended to his heir, the manors of William of Eu (collectively known afterwards as the Honour of Strigul) seem to have been forfeited, for they were granted by the King (Rufus) to Walter, a younger son of Richard de Clare, who was son of Count Gilbert of Eu, of the elder line. It seems therefore possible that the kinship with the King referred to by Florence of Worcester, might be traced through the elder branch of the House of Eu.

William of Eu's wife, Hélisende d'Avranches, was sister of Hugh, Earl of Chester; but William, Count of Eu, married Beatrix, daughter of Roger de Busli—Domesday, Baron of Tichill (*ob.* 1099). It was, in fact, judicially proved in 1220 (Robt. Vipont and the Countess Alice of Eu, concerning the honour of Tichill), that Count William of Eu's son Henry (his successor), was by Beatrix, daughter of Roger de Busli, Baron of Tichill.



## Death of Count Robert of Eu

After a six weeks' siege of Pevensey Castle, the garrison, worn out by hunger, capitulated, and Odo was taken prisoner. He subsequently broke the oath which he then made to leave the realm, and by a stratagem of the garrison at Rochester, succeeded in joining his party in Rochester Castle.

Florence of Worcester complains very bitterly of the duplicity of the Bishop of Durham in this rebellion. He states that the King, at the time of the conspiracy, "was being guided by his (the Bishop's) sagacity, as if he were a trustworthy adviser, for he was of good counsel, and by his advice was the whole realm of England managed."

After the close of the rebellion, and the discomfiture of Rufus's enemies, the Bishop was tried at Salisbury, Nov. 2nd, 1088. In the story of that trial (*Simeon of Durham's Chronicle*), entitled "The history of the unjust persecution of the first Bishop of Durham, inflicted by King William, the son of the great King William," it is sought to prove that the Bishop was always loyal, but was entrapped by his enemies, and thus, being convicted of treason, was banished. At the trial the Bishop pleaded among other things:—

"I am ready before all these barons to purge myself from all crime and perjury, and to defend myself by every means in my power from the charge of having knowingly done, or intended to do, aught whatever to the injury of the King, in his person or in his lands; nor have I in this respect pledged myself to any person, or received a pledge from any person: and the moment that I was aware of the injury which had been inflicted on him, I warned him thereof, on the very earliest opportunity I could do so: and I aided him faithfully against his enemies: and I am prepared to prove that all this I did according to law. I shall prove that Dover and *Hastings* (London also), which he had nearly lost, preserved their fidelity towards him through my means."

This passage is interesting, because it shows that throughout this rebellion Hastings Castle remained in the King's hands, no doubt being in the command of one of the King's constables.

Robert, Count of Eu, was still alive, but probably very little in England. Estancelin<sup>1</sup> mentions that he was one of those who listened to Rufus's speech at Winchester. He seems to have played an active part in the early stage of the dispute between Rufus and Robert of Normandy. Owing fealty to both in respect of his English and Norman estates, he, in common with the other nobles, found himself in a dilemma by reason of their dual allegiance. The Castle of Hastings was no doubt left to the protection of its royal garrison. In 1090, Robert, Count of Eu, appears to have fully transferred his allegiance to Rufus, for his Castle of Eu, together with other Norman castles, somehow came into the possession of Rufus, as the Peterborough Chronicle (1090) informs us "either by cunning or treason, and therein he (Rufus) lodged his knights."

According to Orderic Vitalis (B. VIII. c. 4, ix.), "Robert, Count d'Eu, and other nobles, with almost all who lived in the country beyond the Seine, as far as the sea, leagued themselves with the English, and were supplied by the King with large sums of money to enable them to fortify their residences and arm their vassals." Robert, Count of Eu, died shortly after this event, and although the date of his death is not known, it is generally believed to have taken place in the year 1090.<sup>2</sup> Philip, King of France, came to the assistance of his homager, Duke Robert

<sup>1</sup> *Histoire des Comtes d'Eu*.

<sup>2</sup> (*L'Art de Vérifier les Dates*, vol. xii. p. 450.) His eldest son, Ralph, who witnessed with his brothers (William and Robert) his father's and mother's Foundation-Charter of Tréport Abbey (*Gallia Christiana*, vol. xi. Inst. 68) in 1059, seems to have died without issue before his father.

## Rufus at Hastings

of Normandy, and besieged among other castles that of Eu (see Torigny, continuation of William of Jumièges, viii. 3), "but Rufus sent to Philip, and he, for his love or for his great treasure, deserted his homager, the Duke Robert of Normandy and his land."

Florence of Worcester says: "In the month of February, 1091, King William went over to Normandy. He probably started from Hastings, where he executed the following deed:—

"Charter under the seal of William, King of England (*Willelmi Regis monarchiam totius Anglie strenue tunc gubernantis*), of Osmund, Bishop of Salisbury, dated at Hastings, 1091, being the foundation-charter of the Church of Salisbury."

(Exemplified and confirmed—see *Pat. Rolls*, Ric. II., Feb. 25th, West. 1382.)

Rufus then took up his residence at Eu. By subsequent treaty at Rouen, made between Rufus and Duke Robert of Normandy (1091), the Duke ceded to him Fécamp and the County of Eu and Aumale, etc. (*Ord. Vit.—Peterborough Chron.*, 1091). It was also agreed that all those who had lost their land in England for the Duke should have it restored to them, and a general amnesty was declared. Soon after this William, Bishop of Durham, also became reconciled to King William Rufus.

The peace, however, was not of long duration, for in February, 1094, we find Rufus encamped with his army at Hastings, in readiness for an expedition against Robert of Normandy. It was at this time, when the King was at Hastings, that several events of great historical interest took place which pertain to this history. Before proceeding, however, to describe them, it will be necessary for our proper understanding to recapitulate briefly some events which occurred between the years 1091 and 1094.

So long as Rufus was guided by the counsel and assistance of his father's adviser, Archbishop Lanfranc, he seems to have reigned in a manner which promised to be fairly creditable; but on the death of this Primate, he was corrupted by the subtle and evil advice of his new counsellor, "Passeflambard." The financial genius of this unscrupulous cleric perverted every prerogative and power which the King might in any way exercise, into a means of extortion. Under his guidance the system of feudalism was developed in all its force of oppression, until it became the chief instrument by which the English were crushed under the iron heel of their Norman rulers in order to replenish the King's ever-empty coffers, drained by the cost of his hordes of mercenaries, and the secret bribes which he found so needful for the security of his Norman possessions.

Flambard persuaded the King to declare himself owner of all vacant bishoprics and abbeys, and to claim the sole right of investing their bishops and abbots. By these means he organized a regular system of simony. The more profitable of the ecclesiastical endowments he held in his own hands for many years, without making appointments, and in the meantime he received their rents and profits. For a space of four years England was without a Primate, notwithstanding the frequent prayers for an appointment to the see. In the early part of February, 1093, Rufus being smitten with a dangerous illness, repented him of his evil ways, and made many vows and promises of general reform. On the first Sunday in Lent (March 6th, 1093) Rufus at his bedside invested Anselm (Prior of Bec) as Archbishop—a ceremony which was conducted under the most extraordinary



## The Army at Hastings

circumstances, and entirely against the will of Anselm. Subsequently, and upon mature consideration, Anselm accepted the primacy. About the same time William also nominated Robert de Bloet to the see of Lincoln, vacant by the death of Remigius, who died on May 6th, 1092. By Easter, 1093, when he had recovered, and held the usual Gemot, he had relapsed into his former courses. His blasphemy was fearful to hear, and seems to have had a certain extraordinary originality about it; for it was not merely the wanton ribaldry of an atheist, but the objurgations of one acknowledging the existence of a Divine Being, whom at times he elected to consider his personal enemy.

We find William, son of Count Robert of Eu, first described as Count of Eu in 1093.

Florence of Worcester (1093) says: "In the same year William, Count of Eu, overcome by a great greed of gold, and seduced by the magnitude of the honour which was promised, deserted from his natural lord Robert, and coming to England to King William, that great traitor surrendered himself to his power." At that time it seems to have been the desire of Count William of Eu to bring about the union of Normandy and England under one sovereign. In the summer of 1093 he fomented hostilities between the brothers, and counselled Rufus to make an attack. This advice was not immediately acted upon, but at the Christmas Gemot held at Gloucester, war was declared against Robert. The outlay thus demanded involved the imposition of forced contributions on the nobles; and among them Archbishop Anselm, who, as we have seen, had only recently received the archbishopric, was called upon to contribute to the fund. Eadmer, formerly a monk of Canterbury, Anselm's faithful companion and secretary, informs us that Anselm, so recently appointed, fearful of a charge of simony, at first refused to give any money to the King, but was later on persuaded to do so, and offered £500, for which the King thanked him. Subsequently Rufus was persuaded by some malicious courtiers that Anselm's contribution was too small, and disproportionate, and that he should at least double it. It seems that the enormous extortions practised by the King's reeves upon the long-suffering tenants of the land belonging to the See of Canterbury, while it was in the King's hands, had prevented Anselm from making a larger gift to the King on this occasion.

After a stormy interview the "enraged King said, abusing him, 'Let thine be thine; mine will be enough for me. Get thee gone!'" (*Eadmer*, p. xxvii. 12).

As before stated, the army prepared for the invasion of Normandy was assembled at Hastings, where it was to have taken ship; but for six weeks the troops were weather-bound by adverse winds.

The delay led to the transaction of several important matters at the Castle of Hastings. The records dealing with these throw an incidental light upon the life of Rufus's Court, and narrate a conversation between the King and Anselm in such a manner as to present to the reader one of the most striking pictures in English history.

The Saxon Chronicle says:—

"Then went the King to Hastings, at Candlemas (February 2nd)."

Eadmer says: <sup>1</sup>—

"After some days had elapsed nearly all the Bishops with the English nobles went to

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<sup>1</sup> Eadmer, the author of this account (*Life of St. Anselm*) was born about 1060. He entered



## Rufus and Anselm at Hastings

Hastings by the King's command, in order to meet and to give him their blessing. Father Anselm also came, to lead the King, as much as he might, by his prayers, in safety over the perils of the sea. The King and the nobles remained there more than a month, as the wind prevented them from crossing."

At this time the Abbey of Battle, which had been in process of building for many years, had just been completed. The Chronicle of the Abbey relates how—

"The venerable Abbot Gausbert, carefully watching o'er his flock, unceasingly set before his charge, both by word and deed, a pattern of perfection and piety, charity, and the exercise of every virtue, and thus greatly advanced the interests of the Abbey. And at the long-desired completion of the edifice, the King's affairs led him, in company with many of his nobles, into the country, when at the instance of the Abbot, and in compliance with his father's injunction, he resolved to dedicate the Abbey. On the appointed day he came to this place, with an innumerable train of barons and of the common people. Hither also came the most reverend and beloved of God, Anselm, Archbishop of Canterbury, and with the King were these venerable Bishops, namely: Walkelin of Winchester, Ralph of Chichester, Osmund of Salisbury, John of Bath, William of Durham, Roger of Coutances, and Gundulf of Rochester, with a great concourse of clergy and people, whom he caused to dedicate the Abbey with great pomp to the honour of the Holy and Undivided Trinity, the Blessed Mary, ever Virgin, and Christ's Confessor, St. Martin. This ceremony took place on the third of the Ides of February, in the Year of the Incarnate Word of God 1095, and the eighth of his reign."

The King at this time further endowed the foundation with a large number of gifts, confirming also those which his father had made.

"These things were settled by Royal Charter, and confirmed by the authority of all the Bishops present, who forbade the interference of any one therein, on pain of excommunication."

"Everything being satisfactorily concluded, thirty days' pardon were granted, by common consent of the Bishops, to all penitents who should attend the anniversary of the dedication; and a suitable banquet having been prepared for all, as an oblation of charity, they joyfully departed."

"And the King so greatly loved, cherished, and defended the Abbey, and so maintained its dignities and royal customs, that, as in his father's time no one had dared to injure it, so he himself, as often as he happened to be in these parts, was accustomed, in the abundance of his affection, frequently to re-visit, to cherish and to console it"<sup>1</sup> (*Battle Abbey Chronicle—Cott. MSS. Dom. ii.*).

The whole party returned after the ceremony to the Castle of Hastings.

Among those at Hastings was Robert de Bloet, the King's Chancellor, who had, as before mentioned, accompanied him on his journey from the Conqueror's death-bed to secure the Crown of England. When, as Henry of Huntingdon (1094) says:—

"William, the younger (Rufus) fell sick at Gloucester during Lent, in the 6th year of his reign, he gave the Archbishopric of Canterbury to Anselm (of Bec), a holy man, and the bishopric of Lincoln to his Chancellor, Robert Bloet, who excelled other men in grace of person, in serenity of temper, and in courtesy of speech."

Anselm had after some delay been enthroned (September 25th, 1093), and was subsequently consecrated (December 4th, 1093), but the King—

"Regretting that he had not sold the bishopric of Lincoln, when the Archbishop of York

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the monastery of Christ Church, Canterbury, where he became precentor. He first met Anselm during his visit to the Abbey in 1079, and becoming his attendant and confidential adviser accompanied the saint into exile. After Anselm's death Eadmer was elected Bishop of St. Andrews, in Scotland, but owing to a contention with the Archbishop of York as to his consecration, he returned to Canterbury, where he died on January 13th, 1124 (earliest MS. xiii. century).

<sup>1</sup> Gausbert died the same year, 1094—6th Calends of August.

## Consecration at St. Mary's Church

preferred his claims against Bishop Robert for the City of Lincoln and the district of Lindsey, as appertaining to his Archiepiscopal See, the cause was not decided until Robert became bound to the King for £5,000 to secure the liberties of his church. The guilt of simony lay with the King and not with the Bishop."

Thus speaks Henry of Huntingdon in his Chronicle.<sup>1</sup>

Thomas, Archbishop of York, had besides claimed the right to consecrate Robert de Bloet Bishop of Lincoln. The suit had led to delay in the consecration, and Rufus had, as usual, seized the opportunity of making a monetary profit out of the transaction. The York chronicler complains that what now took place at Hastings was done without the knowledge and consent of the Archbishop of York. Whether the case was definitely disposed of at Gloucester at Christmas, or at this time at Hastings, is not recorded; but that the consecration itself took place at Hastings is abundantly clear. Eadmer says:—

"During the delay Anselm consecrated Robert to the Government of the Church of Lincoln in the Church of Mary, the holy Mother of God, which is in the Castle itself, seven of his suffragan bishops assisting him in this function.

"But some of the Bishops and nobles tried to raise a scandal against Anselm, asserting that he was consecrating the Bishop altogether without the requisite profession. This they did with no right on their side, but merely because they thought that they would rejoice the King's heart by Anselm's perturbation, as they knew he was not a little disturbed on account of the above-mentioned cause against him (note the dispute above-mentioned as to the contribution of £500 which the King had refused). But Anselm, conceiving no rancour in his mind from these matters, with placid face withheld approval, nor would he consecrate the bishop unless he first received his profession of subjugation and obedience to him. The King also, when he heard what the Bishops were devising, declared that he would by no means consent to anyone detracting from the dignity of his Mother Church of Canterbury, on account of the hostility which he felt towards the Archbishop."

Another ecclesiastical incident of importance occurred at this meeting, for we read in the Saxon Chronicle that Rufus took away his pastoral staff from Herbert Losing, then Bishop of Thetford and formerly one of the King's clerks (*Ord. Vit.*, B. X. ch. ii.). It appears that in the year 1091 (*Annals of Bartholomew Cotton—Anglia Sacra*, i. 397) he had been appointed Bishop of Thetford. It is said that he purchased the See from Rufus, together with the Abbey of Winchester for his father. When at Hastings, Bishop Herbert had recently returned from Rome, where, conscience-stricken at his act of simony, he had delivered his pastoral staff into the hand of the Pope, and after due penitence and remission, had received it again from the Pontiff, being purged from his offence. Rufus, on hearing of this transaction, chose to regard the incident as a personal insult, and an encroachment on the ancient royal privilege, and took away Bishop Herbert's staff at Hastings.<sup>2</sup> This forfeiture was obviously made without the consent or approbation of Anselm, who never could have sanctioned such a sacrilege, but we have no record of what he said or thought of the matter. It appears, however, according to the Annals of St. Eadmunds (*Lieber-*

<sup>1</sup> He was formerly a *protégé* of this Bishop, and was brought up in his family.

<sup>2</sup> 1094. Florence of Worcester says: Herbert, surnamed Losinga (an appellation which it is said his power of flattery had lately obtained for him), from being Prior of Fécamp and Abbot of Ramsey, was made Bishop of Thetford by purchasing the See; his father Robert, with the same surname (!) being intruded into the Abbacy of Winchester. "But repentance wiped out the erring impulse of youth; for proceeding to Rome in his stricken years, and there laying aside the simoniacal staff and ring of his office, by the indulgence of that merciful see he was permitted again to receive them. But when he returned home he translated his episcopal see to a town renowned for its trade and resort, called Norwich, and instituted there a congregation of monks."



## Anselm's Dispute with Rufus

*mann*, 275), that he was still acting as Bishop of East Anglia in 1095; and according to another account (*Anglia Sacra*, i. 397) he was translated in 1094 from Thetford to Norwich, where he founded the Cathedral in 1096. He therefore had appeased the wrath of Rufus in some way of which we have no record, but at which we may guess (see *Eadmer*).

Day followed day, but no favourable wind sprang up. Ash Wednesday, February 22nd, still found the company at Hastings. The interval gave Anselm an opportunity of examining and rebuking the manners of the Court of Rufus. His secretary tells us that—

“At that time young men at Court grew their hair like girls, and every day he (St. Anselm at Hastings) saw that they were in the habit of walking with their hair pranked and making irreligious gestures and walking mincingly. When he was preaching a sermon on Ash Wednesday to the people who came to his Mass he drove a large number of them to penitence, and brought them back to look like men, when they had had their hair cut short. Such of them, however, whom he was not able to draw away from this ignominy, he refused to allow to receive the ashes, and deprived them of the benefit of his absolution. And in this and such like matters he acted prudently and impartially, placing the respect for justice alone before the eyes of all. . . .”

Eadmer tells us that at Hastings, Anselm, realizing the horrible state of the Court, carefully considered how he might incite the King to serve God, and administer justice more carefully.

“On a certain day, therefore, he went to him as usual, and sitting down beside him, he spoke to him in these words: ‘My Lord the King, you are about to cross the sea and to reduce Normandy to your sway. But that this and everything else that you desire may turn out prosperously, first, I beg you, give your assistance and counsel as to how Christianity, which has nearly altogether died out amongst the many, can be brought back to its former state.’

“‘What assistance, and what counsel?’ he replied.

“‘If you please,’ he replied, ‘order the councils to be restored after the old fashion, have those things which are done wrongly brought to light, have those things that are brought to light examined into, let those things that have been examined into be condemned, when condemned, let them be settled. There has been no General Council of the Bishops convened in England since you have been King, or for many years past. Therefore, many crimes have broken out, and as no one existed to check them, they gained too much strength from evil habit.’

“But the King replied: ‘I am resolved to act in this manner, not according to your will, but my own; we will, however, consider it another time.’ And he added derisively, ‘With what shall you begin to speak in the Council?’

“Then the other replied: ‘To say nothing about the illicit marriage of near relatives, and other shameful deeds of detestable matters, the most unutterable crime of Sodom, I say, which has recently been brought to light in this country, has also become very common, and soiled many by its enormity. And I acknowledge that unless a sentence of strict justice proceeding from you, and the vigour of ecclesiastical discipline quickly oppose it, the whole land will soon become a Sodom. But let us both try together, I beg you; you by your royal power, and I by my pontifical authority, that such a decree may be promulgated thereupon throughout the realm that, on the very hearing of it, whosoever is a follower of that vice may be scared and crushed.’

“These things did not sink into the King’s mind, and he replied in few words: ‘And in this affair, what will be done for you?’ ‘If not for me,’ Anselm replied, ‘I hope it will be done for God and you.’ ‘That is enough,’ he said, ‘I do not wish you to speak any further after this.’<sup>1</sup>

“Then he was silent, but soon he spoke about other things, and said, ‘There is another matter to which I wish you to turn your attention, and by your attention to put forth the right hand of

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<sup>1</sup> Throughout this interview it may be observed that there is no personal charge; and no personal charge of the graver moral offences is ever made directly against Rufus in the contemporary chronicles. Then as now it is best left unsaid, if suspected. But the fact remains that he callously and indifferently suffered such offenders to haunt the Court, unfettered by any restriction. Modern writers have not scrupled to bring the gravest accusations against him, perhaps with

## Anselm departs from Hastings

counsel. There are several abbacies in this country that are deprived of their pastors. Wherefore the monks, relinquishing their order, take to the profligacy of the world, and die without confession. Wherefore I advise, beg, and exhort that you, after having diligently investigated these important matters, will institute abbots, lest through the destruction of the monasteries, and the perdition of the monks, you bring, God forbid ! damnation on yourself.' The King could no longer keep his temper, but exceedingly perturbed with anger, he said, 'What are they to you? Are not the abbacies mine? You do what you like with your farms, and I shall do as I please with my abbacies.' He said, 'They are yours, for you to defend and protect them as guardian ; but they are not yours for you to invade and devastate. We know that they are God's, so that His ministers may live on them, not that you may make wars and expeditions out of [the proceeds of] them.'

'Lastly, you have farms and revenues from which you can amply administer to all your requirements. If it pleases you, give to the churches what belongs to them.' 'Certainly,' he said, 'you know that what you say is very unpleasant to me. Certainly your predecessor would never have ventured to have said such things to my father, and I will do nothing for you.' Anselm saw that he had thrown his words to the wind, and he got up and went away. But as he thought that the old grudge had something to do with these answers, considering that when the prince was offended, it was impossible to make peace, in order that he (Anselm) might the more freely consult the interests of the State and make them bring forth fruit to God, if the King's favour helped him, he prayed the King in a humble petition through the Bishops, that he would freely receive him back to his friendship. 'If,' he said, 'he will not do it, let him say why he will not ; and, if I have offended, I am ready to make reparation.' These things were told to the King, and he replied : 'I do not accuse him himself of anything, but nevertheless I will not grant him my favour, because I do not hear wherefore.' When the bishops brought back that reply to Anselm, he inquired what that might be '*because I do not hear wherefore,*' by reason of which the King would not listen to his petition? 'This mystery,' they said, 'is perfectly plain. For if you wish him to be at peace with you, you must freely give him of your money. A short time ago you took him 500 pounds, but because it seemed too little to him, he would not accept it. Now, if you will take our advice, and do what we do in similar matters, we advise you to give him five hundred pounds and promise him as much money as you get from your men, and we are sure that he will restore you to his friendship, and will allow you to have your goods in peace as you desire. We do not see any other way of escape for you, nor have we, when we are in similar straits, any other way out of them.' But he, at once seeing what the effect of that advice meant for him, said : 'Far be such a way out of it from me. For if, according to what you say, he accuses me of no offence, and yet is so angry that, unless he receives a thousand pounds of silver, he cannot be pacified, perhaps now if I, a new prelate, appease him with this gift, from habit he will another time be similarly incensed, in order that he may be appeased by a like votive offering. Moreover, my men, after the death of Lanfranc of venerable memory, my predecessor, were robbed and stripped, and shall I, who have contributed nothing towards re-clothing them, rob them now that they are naked, and flay them when they are robbed? Far be it from me. Also, far be it from me to show by my act, that my affection for my lord is venal. I owe him fidelity and honour, and shall I do him this dishonour to buy his favour, as if it were a horse or an ass, for a few paltry pieces of money? Lastly, I should value his affection, bought at such a price, at the same price that I gave for it. But far be it from me to buy the sublimity of so great a thing at so low a price. But do your best, that he may of his own accord and honourably, love me as Archbishop of Canterbury and his spiritual father, and I, for my part, will strive to employ myself and all that belongs to me in his service, and according to his will, according to the duty that I owe him.' They said : 'We know, at least, that you will not deny that you offered him five hundred pounds.' He replied : 'At any rate, I shall not give them to him now, because when I offered them to him, and he would not take them, I gave the greater part of the money to the poor, as I had promised.'

too great presumption. For our own part, we prefer to quote an old writer, who thus briefly sums up the matter :—

"Hence may be perceived how fierce a flame of evil burst forth from a king conceived to be all liberality. In repressing which, as he did not manifest so much diligence as negligence, he incurred a degree of infamy, not only great, but scarcely to be wiped out ; I think undeservedly, however, because he never could have exposed himself to such disgrace, had he only recollected the dignity of his station. I pass over, therefore, these matters lightly, and hasten in my composition, because I blush to relate the crimes of so great a king, rather giving my attention to refute than extenuate them" (*William of Malmesbury*).



## The Fyrd Assembles at Hastings

"These things were told the King, and he ordered this answer to be taken to Anselm: 'Yesterday I hated him much, but to-day I hate him still more, and let him know really that to-morrow and for the future I shall always hate him more and more bitterly. For the future I shall certainly not regard him as my father or Archbishop, but I shall wholly reject his prayers and benedictions with execrations. Let him go where he pleases, and do not let him wait for me any longer, so that he may give me his blessing, as I am going to cross the sea.' We therefore hastily quitted the assembly, and left him to his own will.

"And he crossed over to Normandy, and although he spent immense sums of money, he could by no means subjugate it to himself, and so he returned to England, without having accomplished his object."

Rufus was unable to cross from Hastings to Normandy until after the middle of Lent (March 19th). The brothers then twice met with a view to settling their dispute. On the second occasion, twelve guarantors on either side,

"Who on oath were to effect a reconciliation between them, laid all the blame on the King (Rufus): on which he would neither admit his fault, nor observe the treaty. Being greatly enraged in consequence, they separated without coming to terms."

The Duke took his departure for Rouen,<sup>1</sup> but the King returned to Eu and there took up his quarters, and levied soldiers on every side. Subsequently Rufus took the Castle of Bures. Robert called upon his liege lord, Philip, King of the Franks, who came to his assistance with an army.

King Philip then took Argentan and the Castle of Holm (*Hulme, Pet. Ch.; La Houlme, Flor. Wig.*) surrendered to Robert (*Roger of Hoveden*).

"When this became known to the King (Rufus), he sent messengers to England, and ordered twenty thousand foot-soldiers (the fyrd of England) to be sent to Normandy to his assistance; who being assembled at *Hastings*, for the purpose of crossing the sea by the King's orders, Ranulph (Flambard) took from them the money which had been given them to purchase provisions, namely ten shillings for each man, and ordering them to return home, sent the money to the King."<sup>2</sup>

It may have never been intended that the fyrd should cross the sea. Such an order was, it appears, justified by the Oath of Allegiance which was given to the Conqueror, that they would serve the King in the realm or district in protecting his possessions. Rufus may have, on reconsideration, concluded that the assistance of the fyrd would not be of so much avail, under the circumstances, as the travelling-money which had been supplied to them by their Hundred. At all events, the action of Flambard was rightly timed or judged, for we read (*Petrib. Chron.*) that as Duke Robert and King Philip were marching upon Eu, where King William lay—

<sup>1</sup> *Annals of Waverley.*

<sup>2</sup> The havoc wrought by turning troops adrift without money may be imagined from the account given of the soldiers who followed Rufus in his marches: "At the time of the king his brother (Rufus), the multitude of those who followed his court had that custom, to destroy whatever they removed, and, as they were restrained by no discipline, they devastated all the country through which the king passed. Another evil was added to these, for very many of them, excessively intoxicated by their own malice, when they could not wholly carry off what they found in the quarters that they had seized, were in the habit either of having those things taken into the market-place by the very persons to whom they belonged, and having them sold for their own benefit, or of applying fire to them and burning them, or if it was liquor they washed their horses' hoofs with it, and poured the remainder of it on to the ground, or else spoilt (or wasted) it in some other manner. But one is ashamed to remember the cruel things that they did to fathers of families, and the indecent things that they did to their wives and daughters. For these reasons, those who fled from their homes when they heard that the King was coming, provided for their own safety, and that of those who belonged to them, in woods and other places, in which they hoped that they might be safe" (*Eadmer*).

## Death of Count William of Eu

"Then was the King of France turned aside through craft, and so afterwards all the army separated."

Henry of Huntingdon also says :—

"However, the intrigues and bribes of King William induced the King of France to abandon the enterprise, and thus the whole army dispersed in a cloud of darkness, which money had raised."

The proceedings at Hastings may have been merely a novel device for raising money by way of a change from the ordinary measures, for we read that—

"England was afflicted by oppressive and unceasing taxes, and a great mortality of the people, both in this and the following year."

And William of Malmesbury says :—

"Agriculture was neglected on account of the heavy tribute, which the King levied while in Normandy, of which the immediate consequence was famine. This also gaining ground, a mortality ensued, so general, that the dying lacked attendance, and the dead, burial."

The war with Normandy having subsided, without, as Eadmer says, Rufus being the gainer, matters appear to have remained fairly quiet in Normandy, and two years afterwards the Duke pledged the Duchy of Normandy to Rufus for three years for 10,000 marks.

In the meantime, William of Eu, ever restless (not William, Count of Eu, see p. 26, note), and with that same fatal impulse of rebellion which seems to have attached itself to his former namesake William (Busac) of the house of Eu, now entered into a conspiracy with Robert of Mobrai, Earl of Northumberland, and many others, with a view of placing Stephen, Count of Aumale, on the throne (*Flor. Wig.*, 1095).

"They made an attempt to deprive King William of his kingdom and his life, and to establish Stephen of Albemarle, the son of his (Rufus's) aunt, on his throne, but without success."

Some of the conspirators were tried at Salisbury (January 13th, 1096), and it was on this occasion that one of the most celebrated and earliest recorded instances of a Trial by Battle occurred in England, for—

"There Geoffrey Bainard accused William of Eu, the King's kinsman, that he had been in treason against the King, and maintained it against him by fight, and overcame him in single combat ; after he was overcome, the King commanded his eyes to be put out, and afterwards that he should be emasculated" (Florence says : his eyes to be seared, and "*testiculos abscidere*").

Guibert de Nogent (*L'Art de Vérifier les Dates*, vol. xii. p. 450) records that Count William of Eu was at Rouen in 1096, after the decree of the first Crusade at the Council of Clermont, in November, 1095. He rescued from the fury of a mob there a Jewish boy, whom he educated as a Christian, and who subsequently became a monk, and died in the abbey of St. Germes. William, Count of Eu, died before 1100. He left four sons by his wife Beatrix ; namely, Henry, his successor, William de Grandcourt, Robert, and Ingelram.


This then closes the evidences of the reign of Rufus bearing on our subject—evidences which, for the amount of misery and horror depicted in them, are of a piece with the history of the rest of England during this reign. One of the King's latest acts was the appointment of his infamous counsellor, Ranulph Flambard, to the See of Durham.<sup>1</sup>

<sup>1</sup> Nominated by Rufus in 1099.



## CHAPTER III

### HENRY I

NE of the first acts of Henry after his coronation was to recall Archbishop Anselm from exile, and to imprison Ranulph (Flambard), Bishop of Durham, in the Tower of London; but in 1101, "soon after Christmas, he made his escape from prison, crossed the sea and going over to Robert, Duke of Normandy" (who had returned from the Holy Land on hearing of the death of Rufus), "persuaded him to invade England. And many of the nobles of the land sent messengers and prayed him to come speedily to England, promising him the Crown."

Robert assembled a great number of horsemen, archers, and footmen, and collected his ships at a place called, in the Norman tongue, Ultresport (Tréport). When the King gained intelligence of this, he ordered his sailors to guard the sea, and to prevent any one approaching England from the coast of Normandy. Having assembled an immense army from the whole of England,<sup>1</sup> he encamped not far from Hastings,<sup>2</sup> in Sussex; for he thought for certain that his brother would land on that part of the coast. But by the advice of Bishop Ranulph (Flambard) "Earl Robert so worked on the minds of some of the King's sailors by promises of all kinds, that setting aside their allegiance, they deserted to his enemies, and became their pilots to England. All being ready, Robert embarked with his army, and about the feast of St. Peter in Chains (August 1st), he landed in a place called Portesmouth" (12 days before Lammas day = July 21st *Sax. Ch.*),<sup>3</sup> Ralph Passeflambard being with him (*Annals of the Church of Winchester*, 1108), (*Florence Wig.*, 1102). From Portsmouth he marched upon Win-

<sup>1</sup> Archbishop Anselm came with his contingent of the See of Canterbury.

<sup>2</sup> *Sax. Chron.*, June 24th, says at Pevensey.

<sup>3</sup> Wendover says, "The Duke came to anchor at Portesmouth on the 1st of August."

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Below are two early Charters, by which it would seem that the family of Hastings were holding the Stewardship of the Rape:—

*Battle Abbey Charters, fol. 17/17 b.*

Henry, by the Grace of God King of England, to H. Earl of Eu, and R. (Robert) son of R. (Ralph) de Hastings, and all his justices and all his ministers of Suthsex, Greeting. Know ye that I do grant and confirm to the monks of the Church of Saint Martin of Battle, which my father founded by vow, that they may have well and honourably, freely and quietly, and in peace their ways throughout all our land, and particularly their way which goes from Battle to Hastings, and all their other ways about Hastings, and about Battle, and passage beyond Wynchelese, and their way upon Essendun, and all their chaces and huntings everywhere in the Rape of Hastings, as ever they were accustomed better and more freely to have them in the time of my father and in my time. And I forbid, upon forfeiture to me, that you cause or permit any injury or contumely to be done to them upon this. And if anything of theirs is taken or hereafter shall be taken, that it be

## Count Henry (I) of Eu

chester, and thence towards London. Soon after, many of his followers having deserted, he was glad to make terms with Henry, who agreed to give him 3,000 marks a year on his renouncing all present claims on the English Crown. It was further agreed, adds the Saxon Chronicler, that whichever brother should survive the other, should be King of all England, and also Duke of Normandy, unless the deceased should have an heir by lawful marriage (so also says *Henry of Huntingdon*). Henry further agreed to restore freely to every one the honours which he had formerly possessed in England.<sup>1</sup>

It is not improbable that Henry of Eu may have taken part in this campaign, but his name is not mentioned in the Chronicles. We find him, however, siding with Henry against Robert, Duke of Normandy, in 1104-5, when the former undertook his campaign with a view to repress the anarchy in Normandy, brought about by the rebellion of Robert de Belesme and the misrule of Duke Robert. Orderic Vitalis (B. XI. c. 10) says that "Robert, Earl of Mellent, and Richard of Chester, Stephen, Earl of Aumale, and Henry, Count of Eu, Rotrou, Count of Mortain, Eustace of Boulogne, Ralph of Couches, Robert Fitz Hamon, Robert de Montfort, and Ralph de Mortemer, with several others, held many lordships under him in England, and having espoused his (Henry's) cause in Normandy with their vassals, were ready to have recourse to arms and support it zealously against the world."

In the year 1106, Henry burned the fortress and monastery of Dive, and in the autumn of the same year he defeated Robert at Tinchebrai and took him prisoner. (This battle was fought on Sept. 28th, 1106, the anniversary of the landing of William the Conqueror at Hastings in 1066). Robert de Belesme came to terms with Henry, and received his father's domains, but the King brought Duke Robert to England. Ranulph Flambard, who resided at Lisieux as lord of the place, implored Henry's favour in the moment of triumph, offering to resign his lordship. Henry pardoned the Bishop his past offences, and restored him to his bishopric at Durham, which he held till his death in 1128 (*Hen. Huntingdon*, B. VII.). Soon after this date, Henry, Count of Eu, established the priory of St. Martin-au-Bosc,<sup>2</sup> in the midst of the forest of Eu.

<sup>1</sup> Although the *Annals of the Church of Winchester* (1108) say otherwise, this amnesty did not include Flambard, "who lived in Normandy a banished man, and was deprived of his bishopric of Durham by the king's hatred of him" (*Ord. Vit.*, 1101).

<sup>2</sup> A cell of the Abbey of Bec-Helluin. The Count gave to the priory the Manor of How (Hooe), in Sussex.

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immediately returned without any delay. And within a league of Battle, I forbid that you intermeddle more than in my demesne, upon forfeiture to me. Witness L., Bishop of . . . Roger Bigod, and Henry de Port, at Westminster.

### *Charter of King Henry I. (24).*

Henry, by the Grace of God King of England, to Robert de Hastings, and Robert son of Ralph, and all his faithful men of Hastings, and all his ministers and bailiffs, Greeting. Know ye that I have granted to the monks of St. Martin of Battle and their men as my father William the King granted and gave to them, that they should have their customs in their market and without the market everywhere which they have and hold of me and our ancestors. Moreover the men of Hastings may be free and quit in their market and without their market in all my markets throughout all my realm without paying any toll. And I command that no one be molesting to them, upon forfeiture to me. Witness Wald' the Chancellor and Urso de Abetot. At Merleberge (Marlborough).



## History of Henry (I) Count of Eu

Robert de Belesme again rebelled in 1112. He was taken prisoner, and strictly confined for the rest of his life at Warham, in Norfolk.

Many years afterwards, in 1119, several of the Norman nobles, tired of Henry's sway in Normandy, and perhaps piqued that Normandy should be in the possession of a foreign sovereign, conspired to restore William the Exile (William Clynton), Duke Robert's son, to his father's rank and estates. Baldwin the younger, Earl of Flanders, took arms against Henry for this purpose.

"Henry, Count of Eu, was among the first to aid the rebels by joining their league, but the wary King discovering this, arrested him at Rouen with Hugh de Gournai, and threw him into prison, till he surrendered his fortresses" (*Ord. Vit.*, 1018).

Earl Baldwin shortly afterwards received a wound at Bures, from which he died.<sup>1</sup>

After the death of Baldwin (1119) this rebellion subsided, but Normandy still remained in an unsettled state, requiring continual attention from Henry. In 1119 Lewis, King of France, made an irruption into the Duchy, but was defeated at the battle of Brémule<sup>2</sup> (Brenneville, *Duchesne*), or Nayon, by Henry. Among the nobles who fought in this battle were many who had been reinstated in Henry's favour, taking arms with him against the common foe, and among them the three counts Henry of Eu, William de Warren, and Walter Giffard.<sup>3</sup> The name of Henry of Eu does not occur again among these nobles, who, at the instigation of Louis le Gros, rebelled in 1123, under the pretext of maintaining the claim of William's son, Duke Robert.<sup>4</sup>

On November 25th, 1120, Henry I. lost his son and heir by shipwreck in the *Blanche Nef*, or White Ship, while crossing from Barfleur to England. The subject has an interesting though indirect bearing on Hastings.

"Thomas, the son of Stephen, had obtained an audience of the King, and offering him a mark of gold, said to him, 'Stephen, the son of Airard,<sup>5</sup> was my father, and during his whole life he was in your father's service as a mariner. He it was who conveyed your father to England in his own ship, when he crossed the sea to make war with Harold. He was employed by your father in services of this description as long as he lived, and gave him such satisfaction that he honoured him with liberal rewards, so that he lived in great credit and prosperity among those of his own class. My Lord King, I ask you to employ me in the same service, having a vessel called the *Blanche Nef*, which is fitted out in the best manner, and perfectly adapted to receive a royal retinue.' The King replied: 'I grant your request ;

<sup>1</sup> Henry of Huntingdon (1018) says this wound was received "in a mutiny of his troops at Eu"; so also Roger of Normandy: "a wound that he received at Eu."

<sup>2</sup> The original MS. calls it "Brenmula."

<sup>3</sup> Although this was a most important battle, in which, as Orderic Vitalis observes, "nearly 900 knights were engaged, I have ascertained that three only were slain. This arose from their being entirely covered with steel armour, and mutually sparing each other for the fear of God, and out of regard for the fraternity of arms, and aimed less at killing the fugitives than making them prisoners." (This reminds us of our English view of the modern French duel.)

<sup>4</sup> In 1119, Henry, Count of Eu, gave his sanction to the Charter by which the Archbishop of Rouen in 1119 erected the Collegiate Church of Notre Dame at Eu into an Abbey (*Gallia Christiana*, vol. xi. p. 294, Inst. 21). He then went to the Holy Land, returning in 1121, but he is not mentioned as taking any active part in public affairs.

<sup>5</sup> This Stephen seems to have been the person mentioned in Domesday, *Eirardi filius*, as holding lands *in capiti* in Berkshire.

## “The White Ship” Disaster

but I have already selected a ship which suits me, and I shall not change: however, I entrust to you my sons, William and Richard, whom I love as myself, with many of the nobility of my realm.” The rest of the story, ending with the disaster of the sinking of the White Ship, is well known. The vivid details of Orderic Vitalis tell how the young Prince treated the sailors to wine till they were drunk; and, after the striking of the ship, how Prince Henry lost his life in the endeavour to save his half-sister; and how the master, Thomas, threw himself into the waves when he realized that the Prince was lost.<sup>1</sup>

The following extract from the earliest extant Pipe Roll is here inserted in chronological order. The origin of these records receives special attention hereafter (see *post*, Henry II.).

*Pipe Roll. 31 Hen. I.*

*Sudsexa.*

The Abbot of Fécamp owes 60 marks of silver for a moiety of toll of the ships of Winceleseia. And in pardon by the King's writ to Robert de Curci etc. to the Count of Eu ten shillings.  
. . . to the Abbot of Fécamp six pounds and six shillings etc.

*Norhamtescira.*

Hugh de Eu (Auco) owes 300 marks of silver for the land and daughter of Richard Ingaine and his Minister of the Forest.

In the year 1128, Henry made a hostile excursion into France, because the French King, Louis le Gros, supported his nephew and enemy (William of Normandy, Count of Flanders, son of Duke Robert), but subsequently returned to Normandy after compelling Louis to withdraw his help from Count William.

Henry then induced Theodoric, a German Duke, to invade Flanders, supported by some Flemish nobles. The Count of Flanders defeated him, and surrounded his camp,<sup>2</sup> which would have surrendered on the morrow, but for the Count's receiving a slight wound in the hand, from which he died (*Henry of Huntingdon*, B. VII. 1128).

In February, 1134, Robert, who had now been a prisoner for twenty-eight years, and was nearly eighty years of age, died at Cardiff, and was buried at St. Peter's Abbey, Gloucester.

Henry, Count of Eu, married Marguerite, daughter of William of Sully (or de Sollei)—by Agnes, second daughter and coheiress of Gilon, Sire de Sully—which

<sup>1</sup> It appears that certain land at Livingsbourne in Kent (now Beksbourn) was held by sergeantry (*de sergeantia Domini Regis*) to provide a vessel for the King's own use (*in quolibet passagio suo*). This appointment is named by Henry II. in his confirmation to William de Bec, as “*ministerium de Esnetka mea de Hastings*,” and it was stated therein to have been long held by him and his predecessors. This royal yacht (*Esnetka*, from Saxon *Snecca*=a smack) is frequently mentioned as being used by royal personages; as, for example, in 1166 for King Henry II. in Lent, and for the King of Scots, and Prince Geoffrey; in 1176, for the King's daughter on her voyage to Sicily; and in 1185, for the Queen and the Duke of Saxony. The sum of £7 10s. seems to have been paid every time that it was used, apparently for the crew only, as the keeper himself had a regular payment of twelvecence a day from the Exchequer, according to a royal grant (between 1162 and 1169), witnessed by the Archdeacon and several Bishops. (See *Abbreviat. Placita*; *Maddox's Exchequer*; *Gents. Mag.* N.S., viii. p. 20; Nicholas, *Histy. R. Navy*, p. 432; *Archæologia*, vi. p. 116.)

<sup>2</sup> Roger of Wendover (*1129 sic*) says that Count William was besieging Eu against King Henry and expected on the morrow to receive its surrender, for the enemy were almost worn out. The young man died of a slight wound in the hand, leaving behind him an endless name. It would seem almost as if Roger of Wendover had confused the late Count Baldwin with Count William. The Saxon Chronicler says that a servant wounded him while he was at war with his uncle King Henry, but it does not mention the German invasion.



## Death of Henry (I) Count of Eu

William was eldest son of Stephen, Count of Champagne, Brie and Blois, elder brother of Stephen, King of England. He had three sons and one daughter by this marriage. He married a second wife, by name Hermentrude.

Having on July 25th, 1130, founded the Abbey of Foucarmont, he retired to it from the world, and taking the habit of a monk he died, and was buried at the foot of the high altar (*Gall. Christ.*, vol. xi. p. 304) there in the year 1139. His wife lies interred near him in the same abbey.<sup>1</sup>

Henry, Count of Eu, thus survived Henry I. by two years, the latter dying at his hunting-seat, at Lions in Normandy, on December 1st, 1135. (See the letter of the Archbishop of Rouen to the Pope, *William of Malmesbury*, 1135.)

Henry, Count of Eu, had the following sons and daughters :—

1. John, his successor.
2. Hugh, an ecclesiastic, Archdeacon of Cornwall in 1135, and of Totnes in 1143 (*Le Neve's Fasti*, Ed. Hardy, Exeter, vol. i. pp. 397–401). He may have been Hugh, the Dean of Hastings College Church, mentioned in the Confirmation Charter of Henry, 1st Count of Eu.
3. William, also an ecclesiastic, Archdeacon of the Diocese of Exeter.<sup>2</sup>
4. Daughter, Beatrix. *L'Art de Vérifier les Dates* mentions another daughter, Matilda, but according to William of Jumièges, there was only one daughter (B. VII. c. 34).

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<sup>1</sup> See his epitaph and that of his son (*post*), page 51.

<sup>2</sup> “William de Grancourt, the son of William, Count of Eu, a gallant soldier in the Royal Army, was present at the battle of Bourgthéroulde (Rougemontier), 1124, and took Amauri prisoner as he was making his escape ; but, touched for the man and his bravery, and knowing for a certainty that if he made him captive, he would never, or under great difficulty get out of the King's hands, he resolved to abandon his sovereign and his own possessions and go into exile, rather than entangle a Count of such distinguished worth in the meshes of a net from which he could never extricate himself. He therefore conducted him as far as Belmont, and then becoming an exile with him, as his preserver, found an honourable refuge in France” (*Ord. Vit.*, 1124). And afterwards he seems to have become an ecclesiastic.

## CHAPTER IV

### STEPHEN



T would be beyond the scope of this work to attempt to give an account of the successes and reverses which perpetually alternated between King Stephen and Matilda, or to follow the details of the barons' vacillations between the two parties.

We have no record or other information of how the Castle of Hastings fared during these nineteen years. We hear a little of its owner, John, Count of Eu, who had succeeded to his father's estate. He was in favour with Stephen, and a frequent visitor to the English Court. He was one of four earls who witnessed at Ipswich, in 1140, King Stephen's Charter, confirming the foundation of Monks-Horton Priory in Kent (*Arch. Cant.*, vol. x. pp. 267-281). The Count was taken prisoner at the battle of Lincoln, but was set free soon afterwards. We find him attesting a Royal Charter in favour of the Abbey of St. Benet Hulme in Norfolk. In 1149 he made a deed of confirmation of the grants given by his ancestors to the monks of Tréport. He made himself unpopular with the monks of the Abbey of Eu, of which he was hereditary patron, by compelling them to adopt the discipline of the Canons of St. Victor of Paris (*Gall. Christ.*, vol. xi. p. 294). The Archbishop interdicted the proceedings by excommunication, but eventually the Count gained his point.

Only once during the reign of Stephen have we any record that the storm which then devastated the land came within reach of Hastings, namely in 1146, when Gilbert, Earl of Hereford, rebelled against the King. The Castle of Pevensey was then held by Earl Gilbert's garrison. The castle (Pevensey) is described (*Gesta Steph.*, B. II., circa 1146) as being "built on an elevated mound surrounded by a stately wall, and rendered impregnable by the sea which flows up to it, the tide filling the ditch, so that its position makes it almost inaccessible. On the King's arrival at the head of his troops, perceiving the difficulty from the nature of the ground of carrying the castle by assault, and that those who had thrown themselves into it were prepared for resistance, he left there the faithful regular body of troops, on which he mainly relied, to blockade the place, giving them strict orders to use every art and device, and to spare no labour or expense in pressing the siege on the seaboard from the ships, and on the landside by the troops, until at length the garrison, wearied out and exhausted, should own themselves unable to make a longer resistance." (There is no information as to the result of this siege.) There are still preserved among the Battle Abbey deeds two Charters of King Stephen, the first of which is witnessed by Bishop Hilary of Chichester, who held the See from A.D. 1146 to A.D. 1149. The second was executed by the King at Hastings, and this appears to be the only evidence of a visit of Stephen to this place.



## John, Count of Eu

We know by a Charter dated 1151 and 1152 that some time after this John, Count of Eu, was living in Normandy, interesting himself in the civic affairs of his capital town of Eu, and in founding and augmenting religious establishments at Tréport, Foucarmont, and Eu (Estancelin). The following charter, which purports to have been executed by John, Count of Eu, in 1151, is extremely curious, because the connection between the Benedictine monastery of Tréport and the College Church at Hastings is otherwise unrecorded.<sup>1</sup>

John Count of Eu to all the faithful in the Catholic Church in perpetuity. It has been devised by the rule of a sacred institution that the endowments of alms, which the serenity of our princes is known to have granted by legitimate donation to the Churches of God, should be fortified by the authority of these princes that they might never be perverted by the machinations of evil men, or lest that which has been specially decreed might hereafter be annulled. Led by the reasons of this consideration, I John Count of Eu decree that the Church of St. Mary of Hastings, which I have given in perpetual alms to the Blessed Michael of Tréport shall be held for ever in the same possession, and I confirm this by the strength of the present seal. And I decree that the monks of Tréport shall hold the aforesaid Church of Hastings, together with all the appurtenances belonging to the said Church, under this tenure—that for the Canons thereof, who depart this life or renounce the world (*i.e.*, things secular), monks [of Tréport] shall be supplied to serve God there and they shall divide among themselves the benefices of the prebends fairly.

Witness—Jocelin de Criolio, William de Crenis, Ralph de Scotenaud [Scotemud-Estoceignies=De Scotney?], Stephen de Petris (of Stone?), Matthew the Abbot's chamberlain (*cubicularius*=valet), Henry Culvervilla, William de Fresci, Peter the Provost, Nicholaus de Verleo, Walo (*aquarius*, steward of the fishponds).

Done in the year after our Lord's incarnation 1151.

The taking of Lisbon from the infidel Moors by a band of men composed of English, Flemish, German, and Norman nationalities, who started from Dartmouth and joined Alfonso of Portugal, is an extremely curious feature of this time. A strong contingent of men left Hastings for this purpose, and we may presume did good service, for one Gilbert of Hastings was consecrated first Bishop of Lisbon. They appear to have had no leader of any rank, and to have entered upon the matter as a kind of crusade (*vide* H. of Huntingdon; Stubbs, *Mem. Rich. I.*, and Pertz, xvii. 27).

In 1152 Geoffrey, Count of Anjou, being dead, his son Henry Plantagenet invaded England with a small force. He was at first joined by many of his mother's adherents. Matters were suddenly changed by the death of Stephen's eldest son, Eustace. A compromise was arranged between Stephen and the Plantagenet party (November 7th, 1153), which stipulated that Stephen should reign for his life, and be succeeded by Henry. By this happy compromise, as William of Newburgh says, "The King received England, and England received peace." On January 13th, 1154, Henry received the oath of fealty of the barons at Oxford. It was agreed that the garrisons of the royal castles should swear allegiance to Stephen and Henry. A scheme of reform was drawn up at Wallingford:—

1. The royal rights usurped by the barons were to be restored to the King.
2. Estates held by intruders to be returned to their former owners as in the time of Henry I.
3. The *adulterine* (or unlicensed) castles, by whomsoever erected in the present reign, to the number of 1,115, to be destroyed.

<sup>1</sup> For further observations see *post* A.D. 1470.

## “The Adulterine Castles”

4. The desolate country to be restocked, husbandmen to be employed, and tillage generally to be restored.
5. The clergy to have their place, and not to be unduly taxed.
6. The jurisdiction of the sheriffs to be revived. Such to be chosen who should not use the office to gratify private friendship or hatred, but to exercise due severity and give every one his own. All thieves and robbers to be hanged.
7. Armed mercenary forces to be disbanded and provided for, the knights to turn their swords into ploughshares and their spears into pruning-hooks. General security to be maintained, commerce to be encouraged, and an uniform coinage struck.

The last year of Stephen's reign was particularly devoted to the destruction of the adulterine castles (*Castra Adulterina*), which duty was impressed upon Stephen by Henry in their last meeting, at Dunstable, in 1154. These castles were constructed in the period of anarchy by the lesser barons and rebel chieftains, and held by them in their own hands without the royal license, which at a much earlier period was necessary for the building of castles (see “Edict of Pistense,” A.D. 864). They were probably constructed somewhat rudely, and in great haste, without much military skill or suitable earthworks. Consequently very few of the sites of these castles can now be recognized. Stephen had not made much progress towards the completion of his task of reform when he died on October 25th, 1154.

William of Malmesbury says :—

“There were many castles in England, each defending, or, more properly speaking, laying waste, its neighbourhood. The garrisons drove off from the fields both sheep and cattle, sparing neither churches nor churchyards. Seizing such of the yeomen and country-people as were reputed to be possessed of money, they compelled them by extreme torture to promise whatever they thought fit. Plundering the houses of the wretched husbandmen, even to their very beds, they cast them into prison ; nor did they set them free but on their giving up everything they possessed, or could by any means scrape together, for their release. Many expired in the midst of torments inflicted to compel them to ransom themselves, bewailing, which was all they could do, their miseries to God.”

The Saxon Chronicle sends forth its woeful wail :—

“They had done homage to him (Stephen) and sworn their oaths, but had held no faith ; they were all forsworn, and forfeited their troth, for every powerful man built his castles and held them against him ; and they filled the land full of castles. They cruelly oppressed the wretched men by making them work at these castles. When the castles were made, they filled them with devils and evil men. Then took they these men that they imagined had any property, both by night and by day seizing men and women, and put them in ward for their gold and silver, and tortured them with pains unutterable ; for never were martyrs so tortured as they were. They hanged them up by the feet and smoked them with foul smoke ; they hanged them by the thumbs, or by the head, and hung fires on their feet ; they put knotted strings on their heads, and writhed them so that it went to the brain. They put them in prisons in which were adders and snakes and toads, and killed them so. Some they put in a ‘Crucet Hûs,’ that is, in a chest that was short and narrow and shallow, and put sharp stones therein, and pressed the man therein, so that they brake all his limbs. In many of the castles were (things) loathly and grim ; there were shackles, of which two or three men had enough to bear one. It was made so, that is, fastened to a beam ; and they put a sharp iron about the man's throat and his neck, so that he could not in any direction sit, or lie, or sleep, but must bear all that iron. Many thousands they killed with hunger. I neither can nor may tell all the wounds or all the torture which they did to the wretched men in this land ; and that lasted the nineteen winters while Stephen was king, and ever it was worse and worse. They laid imposts on all the towns continually, and called it ‘tenserie’ (or censerie). When the



## Norman Cruelties

wretched men had no more to give, they robbed and burned all the towns, so that thou mightest go all a day's journey and thou shouldst never find a man seated in a town or the land tilled. Then was corn dear, and flesh, and cheese, and butter ; for there was none in the land. Wretched men died of hunger ; some went seeking alms who erstwhile were rich men ; some fled out of the land. Never yet had such misery been in the land, nor did heathen men ever do worse than they did ; for everywhere at times they forebore neither church nor churchyard, but took all the property that was therein, and then burnt the church and all together. Nor forebore they a bishop's land, nor an abbot's, nor a priest's, but robbed monks and clerks, and every one plundered another if he could. If two men or three came riding to a town, all the township fled and weened they were reavers. The bishops and clergy constantly cursed them, but nothing came of it ; for they were all accursed, and forsworn,<sup>1</sup> and lost. Whatever man tilled, the earth bare no corn ; for the land was all foredone by such deeds ; and men said openly that Christ slept and His Hallows. Such, and more than we can say, we suffered nineteen years for our sins"<sup>2</sup> (*Petrib Chron.*, 1137).

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<sup>1</sup> In December, 1141, excommunication was demanded against all builders of new castles, and against those who oppressed the poor, at the Synod of Westminster.

<sup>2</sup> William of Jumièges and William of Malmesbury compare these conditions to those of Normandy during William I.'s minority.

## CHAPTER V

### HENRY II



HE succession had been so firmly cemented, and the nation was so thoroughly exhausted by the long period of anarchy, that for the first time since the Conquest no pretender to the Crown came forward, and although Henry was abroad,<sup>1</sup> "no man durst do other than good, for the great awe of him" (*Petrib. Chron.*, 1154).

"When he came to England (December 8th, 1154),<sup>2</sup> he was received with great worship, and blessed for King in London on the Sunday before midwinter day (December 19th)." William of Ypres was now ordered to depart with his foreign mercenaries, and the King deposed the pseudo-earls whom Stephen had made, and the destruction of the adulterine castles commenced with renewed vigour. All the royal estates and castles which had been granted by Stephen, or otherwise acquired by others, were ordered to be forthwith restored to the King. This mandate met with serious opposition from a few of the barons; but by the end of the first year of his reign, and the twenty-second year of his age, Henry had practically carried out the whole of the reforms laid down in the scheme of Wallingford.

In 1155 Henry appointed as his chancellor Thomas à Becket, who, among other ecclesiastical appointments, held the Deanery of the King's free chapel of Hastings.<sup>3</sup>

In 1161 (R. Hovenden—Wendover says 1160), a disagreement having taken place between Henry and Louis of France respecting some divisions of their territories, and also with respect to the Castles of Gisors and Neafle (*Néauphle*), then in Louis's hands, Becket was sent on a mission to France, with a view to compromise the matter. It was agreed that Margaret and Alice, daughters of Louis,

<sup>1</sup> Roger of Wendover says that he waited one month for a favourable wind at Barfleur before he could cross the Channel.

<sup>2</sup> Wendover says December 7th.

<sup>3</sup> Thomas à Becket is the second Dean of whom we have any record (see list of Deans, *post*). He was son of Gilbert Becket, a citizen of London, by Matilda his wife, and was born on Tuesday, December 21st, 1117. He received his early education from Robert, Prior of Merton, of the order of the Canons Regular. He then studied in Paris. His mother and father died when he was about twenty-one years of age. Afterwards he became book-keeper to his relation Osbern Witeniers, a wealthy merchant of London, and also became clerk to the Sheriffs. After three years, through the introduction of a friend (*Baillieache*), one of the officials of Theobald, Archbishop of Canterbury, he entered the service of the Archbishop about 1142. On two occasions he was dismissed from his post through the jealousy of Roger de Pont l'Evêque (afterwards Archbishop of York), but was restored by the influence of Walter, Archdeacon of Canterbury. Subsequently he came to be greatly esteemed by the Archbishop, who made him his Archdeacon. He went with him to Rome on the subject of a dispute with Henry of Blois, Bishop of Winchester, relating to the legatine office in England; and he again attended the Archbishop at the synod of Rheims. Thomas was afterwards sent to Rome by Theobald to oppose the coronation of Eustace, King Stephen's son, as being contrary to the convention of Winchester. On his return to England (1154) he was appointed Provost of Beverley and Dean of Hastings. Becket was one of the



## Thomas à Becket Dean of Hastings

should be given in marriage to Henry's two sons, Henry and Richard (being all little children), and that Louis should deliver the Castles above-mentioned into the hands of the Templars, Robert de Pirow, Tostes de Saint Omer, and Richard de Hastings, for safe custody pending the marriage between Margaret and Prince Henry, on the happening of which event the Castles should be delivered up to King Henry. These terms being agreed and confirmed by oath, the King delivered both his daughters to King Henry, and the Castles to the Templars. Shortly afterwards (November 2nd) Henry caused his son Henry to be married to Margaret, "although they were as yet little children crying in the cradle."<sup>1</sup> Whereupon, the Templars, being witnesses and consenting thereto, immediately delivered up the Castles to Henry. Louis, on hearing of this cession, was very indignant, as it was contrary to the spirit of the engagement entered into by both Kings, and he banished the knights from France, who were then received and rewarded by Henry with many honours (*Roger of Hovenden*, 1161).

In the same year (April 18th) died Theobald, Archbishop of Canterbury.

The following extract from the Life of Thomas à Becket, by William Fitz-Stephen, a contemporary, is amusing and interesting :—

"He (Thomas à Becket) was sitting one day at the ("game<sup>2</sup> of") Exchequer, dressed in a cape with sleeves. Aschetinus, Prior of Leicester, came to see him, coming from the King's court, who was in Gascony at that time, who speaking to him freely, relying on their familiarity, said to him : 'Why do we use a cape with sleeves? That dress belongs more to those who carry hawks ; but you are an ecclesiastical person, one in singularity (individuality), but several in dignity ; Archdeacon of Canterbury, *dean of Hastings*, provost of Beverley, a Canon here and there, an Archiepiscopal proctor, and, as rumour very frequently is current at Court, you will be Archbishop. Amongst other things, the Chancellor replied to this last remark : 'I certainly know three poor priests in England, the promotion of any of whom to the dignity of Archbishop I should wish for more than my own ; for if I were by chance promoted, I know my Lord the King so thoroughly (*intus et in cute*=within and in the skin) that I should think it necessary either to lose his favour, or to neglect the service of God, which be far from<sub>2</sub>me!' Which also happened afterwards" (*William FitzStephen*).

The See was conferred on Thomas à Becket after thirteen months' vacancy (namely, in the spring of 1162), during which time the revenues of the See were in his care as Chancellor. On Saturday in Whitsun week he was ordained priest in Canterbury Cathedral, and on Trinity Sunday (June 3rd, 1162) he was consecrated Archbishop of Canterbury by Henry, Bishop of Winchester, and received the pallium from Rome on the 10th of August following.

warrior clerics. In 1159 at the siege of Toulouse he headed his troops and took three strong castles reputed to be impregnable ; and later on, in the wars on the Marches between Gisors, Trie, and Courcelles, in addition to 700 knights of his own household, he brought into the field 1,200 knights and 4,000 men, whom he maintained forty days at his own expense. "The Chancellor was in very high favour with the clergy, the soldiers, and the common people of the kingdom. He might have had all the vacant parochial churches of the villages and castles, for no patron would venture to deny him, if he chose to ask ; but he conquered his ambition by such greatness of mind that he disdained to take away those churches and their place from the poor priests, and the clerics, by preoccupying them. But as he was great-souled, he rather searched after great things, namely the Provostship of Beverley and the donation of the prebends of Hastings from the Count of Eu, the Tower of London with the services of the soldiers belonging to it, the castle of Eye with the honour of 140 soldiers, and the castle of Berkhamstead" (*Vita S. Thomæ Auctore Will<sup>mo</sup> Filio Stephani*).

<sup>1</sup> Prince Henry was (Roger of Wendover says) five years, and the Princess three years.

<sup>2</sup> See description of the Exchequer, p. 54, *post*.

## His Dispute with the King

Almost directly after, much to the King's chagrin, he resigned his office of Chancellor, and from that time they were never more friends. From that date the struggles between the civil and the ecclesiastical powers may be said to have begun again. In consequence of the dissensions and discords which arose between the Justices of the King and clergy, and the gross immorality of the clergy who took advantage of their clerical privileges, Henry II. caused a great Council to be held at Winchester of all the Archbishops and Bishops of the land, and asked them out of their love and obedience to him, and for the due establishment of the kingdom, to receive the laws of King Henry his grandfather, and faithfully observe them. Thomas the Archbishop made answer for himself and others, that they would do so, "Saving their orders and the honour of God and of the Holy Church in all respects." The King, being greatly displeased with this reservation, dismissed the Synod in anger. Later on, at the command of the Pope and his Cardinals, the Archbishop promised the King at Woodstock that he would "in good faith and without any bad intent observe his laws."<sup>1</sup>

This, however, did not wholly satisfy Henry, for he ordered the Council to hold an inquisition, and draw up and codify such laws, that the Archbishop should avow the same publicly. Among the nobles present on this occasion, by virtue of his lordship at Hastings, was John, Count of Eu<sup>2</sup> (*Matthew Paris*).

"When the inquisition had been made,<sup>3</sup> the King commanded the Archbishop and Bishops to affix their seals; but while others were ready to do so, Thomas, Archbishop of Canterbury, swore that he would never annex his seal to that writing, or confirm those laws" (*Roger Hovenden*, 1164).

Being harassed now by repeated annoyances and perpetual demands made by the King, he eventually fled to France, whereupon Henry sequestered all his property, banished his friends, suspended payment of Peter's pence, and threatened to confiscate the possessions of the Cistercian Abbeys in England.

Becket procured a bull from the Pope excommunicating his old enemy the Archbishop of York and the Bishops of London and Salisbury; this, however, he retained in his possession. Numerous letters that Thomas wrote in his exile are recorded, among which is one to the Chapter of London, upon avoiding communion with those who are excommunicated. Among those mentioned as

<sup>1</sup> Notwithstanding this, the Archbishop soon afterwards withdrew from his submission and said, "That in making it he had greatly sinned" (*Roger of Hovenden*, 1164). The King's anger on this was greatly aroused, "and he threatened him and his people with exile and death," upon which the Bishop of Salisbury, the Templar Richard of Hastings, and others came to the Archbishop "with tears, and throwing themselves at his feet, besought him that for the King's dignity he would come to him and in the presence of his clergy and the people accede to those laws which the King called his grandfather's, and that the Bishops should receive them and promise to observe them. The Archbishop, being overcome by the entreaties of such great men, actually came before the King and all the Bishops and great nobles of the land and made the promise."

<sup>2</sup> It seems probable that, by reason of Thomas's close connexion with Hastings, certain personal efforts were made by the two distinguished local men, namely, the Count of Eu and Richard de Hastings, with a view of settling matters between him and the King, for besides what has already been mentioned of Richard it is recorded in the Pipe Rolls of 13 Henry II., shortly after Becket had fled to France, that "the Count of Eu owes 100 marks for the pledge of Thomas the Archbishop" (*rot. 3, m. 1, in dorso*). Vol. II. p. 37. The same entry occurs 14, 15, 16, and 17 Henry II.

<sup>3</sup> The Council met on one of Henry's manors called Clarendon, near Salisbury, January 25th, 1164.



## Death of Becket

excommunicated are Jocelyn, Bishop of Salisbury, and Richard, the brother of William de Hastings, "who had taken possession of our church at New Cotton" (*Roger Hovenden*, 1168). In 1170, owing to the intervention of the Pope and King Louis of France in favour of the Archbishop, Henry became reconciled to the Archbishop at Fereitval on July 22nd. Becket set sail from Wissant, intending to land at Dover, but hearing that Roger, Archbishop of York, and the Bishops of London and Salisbury awaited him there, he landed at Sandwich. On setting out towards London, he was forbidden to go further, and so returned to Canterbury, where on Christmas Day he read the bull excommunicating the Archbishop of York and the Bishops of London and Salisbury. Upon hearing of this last act Henry "often and often burning with rage and bursting out into direful language, he cursed all whom he had brought up, all who were bound to him by friendship and by the conferring of favours, because they would not avenge him upon a single priest who so disturbed him and his kingdom and sought to remove him and disinherit him from his privileges" (*Herbert of Boscham*). The fourth day afterwards (December 29th) Becket was murdered in his metropolitan church, at the age of only fifty-three, by four Norman Knights belonging to Henry's household.

### DEATH OF THOMAS À BECKET.

ACCOUNT BY WILLIAM FITZ STEPHEN.

That day and four days after, at the neighbouring Castles of Dover, Hastings, and others there were soldiers keeping guard : in the ports over sea there were members of the king's household ; Count William at Witsand [Wissant], de Quincy and Richard de Flumet elsewhere : that if by chance the Archbishop should put out to sea, wherever he put in he might be taken prisoner. So when, I say, the monks saw the armed men, they wanted to shut the door of the church, but the good man (Becket), having faith in the Lord and not dreading in the unexpected alarm, the powers of the ungodly rushing in upon him, turned round and came down the steps, and gave orders that the doors of the church should not be closed, saying, "Be it far from us to make a castle of the church of God : permit all to enter the church of God who wish to enter : God's will be done." As the Archbishop was then coming down the steps towards the door, John of Salisbury and all his clerks except Canon Robert and William Fitz Stephen and Edward Grim, who had only just come into his service, seeking safety and wishing to put themselves in a place of security, left the Archbishop and made, some for the altars, others to a place of hiding.

And if indeed the Archbishop had wished to get away and make his escape by flight, he could very well have done so, since time and place gave him an opportunity which he had no need to seek. It was evening : almost the longest night was close at hand : the crypt, in which there were many dark cells, was hard by. There was also another door near through which he might ascend by a winding staircase to the church above : perhaps it would not be discovered, or something else might be done meanwhile. But he would have nothing to do with any of these. He did not get away, did not beg his murderers' mercy, uttered no murmur, no complaint all through his agony : but looking patiently, on behalf of Christ and the cause of the church, for that last hour which was approaching, he displayed a bravery and strength of mind and body and speech, as great as ever we have seen in any martyr, until the whole was consummated. Lo ! then, those spearmen carried in by frenzy, unexpectedly beholding the door open, rush into the church, "Whither," as Horace says,—

"Whither, accursed, do ye rush?"

"What madness, oh wretches ! what license of the sword !"

One of them said to the monks who were standing at the Archbishop's side : "Don't move." And indeed, when those brigands saw the Archbishop, at first as it were confounded and thunder-struck with reverence for his appearance, they fell back. Afterwards some one cried out : "Where is that traitor?" The Archbishop, possessing his soul in patience, answered not a word. Then said some one, "Where is the Archbishop?" "Here am I," he replied, "no traitor, but a priest of God : and I marvel that in such a dress you enter the House of God. What is your

## Death of Becket

pleasure?" "That you die," replied one of the brigands: "that you should live longer is impossible." Then he—"In the name of the Lord I receive my death, and I commend my soul and the cause of the Church to God and the Blessed Mary and the patron saints of this church. Far be it from me to fly by reason of your swords: but by God's authority, I bid you touch none of my people." Some of them had hatchets as well as swords, that they might break open the church-doors in case they were closed against them: one kept his sword and laid down his hatchet, which is there still.

One of them struck him with the flat of his sword between the shoulders, saying, "Flee: you are a dead man." He remained without stirring, and offering his neck commended himself to the Lord, repeating the names of the sainted Archbishops and Martyrs the Blessed Denis and Saint Alphege of Canterbury. Some crying, "You are caught: you must come with us," laid hands upon him and would have dragged him from the church, but they feared that the people would deliver him out of their hands. He answering, "I will go nowhere: here you shall do what you wish to do and what you have been ordered to do," struggled as hard as he could: the monks also held him back and with them Master Edward Grim,<sup>1</sup> who caught on his arm the first blow aimed by William de Tracy at his head, and by the same blow the Archbishop was seriously wounded on his bowed head and Grim upon the arm. "Oh," as Saint Basilus says, "the fierceness of wild beasts is tamed by the virtue of God, but the ravening of men does not after the manner of wild beasts become gentle."

The Archbishop wiping his head with his arm and seeing the blood gave thanks to God, saying, "Into thy hands, Lord, I commend my spirit." A second blow was dealt upon his head, at which he fell upon his face, first placing his knees and then folding his hands and stretching them out to God, away from the altar of St. Benedict, which was in that place. He took pains or was favoured to fall in no unworthy fashion, covered down to his feet in his robe as though he were about to worship or to pray. He fell upon his right hand, destined to go to the right hand of God. As he lay upon the ground Richard Bruton struck him with such force that his sword was broken against his head and the pavement of the church, and he exclaimed, "Take that for your love for my master William, the King's brother." This William had sought in marriage the Countess de Warren: but the Archbishop had forbidden it, since William was the son of the Empress Matilda, and Count William de Warren was the son of King Stephen, and they were thus children of cousins. Thus did William, the brother of King Henry, grieve and would not be comforted, and all his men became enemies to the Archbishop.

The sainted Archbishop received altogether four wounds, every one upon his head: the whole crown of his head was cut off. Then one could see how his limbs were subservient to his spirit. For neither by any posture or position of the body no more than from the mind did he appear to have fought against death: he regarded death rather as a voluntary one from the will of God than a violent one at the hands of his enemies. One Hugo de Horsey, known by the name of Mauclerc, pressing with his foot the neck of the prostrate Saint and Martyr, drew out from the mutilated brain-pan with his sword the brains and blood. O sorrowful sight, O unheard-of cruelty on the part of those who ought to have been Christians! But those who, under the name of Christians, do the deeds of Pagans are worse than those who are open infidels through the errors of the traditions of their fathers. Oh, thou truly happy and constant holy martyr of God, Thomas! He could be slain but not bent. Of a truth, just as when Christ in His own person was suffering death upon the cross, so when he suffered it again in the person of his soldier Thomas, the Sun turned away his eyes, hid his rays, darkened the day not to see that sin: and a dreadful tempest contracted the sky, rain suddenly poured down, and the heavens thundered. Afterwards there shone forth a brightness like brass as a sign of bloodshed, in horror of the crime, as a token of the vengeance which was destined to fall upon those who had made themselves such cruel beasts and deprived themselves of all pardon in this world and devouring and stripping-off all the humanity of our nature were the cause of the saint's death.<sup>2</sup>

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<sup>1</sup> Edward Grim in his account says that "he turned away to the left under a pillar having on the one side the high altar of the Blessed Mother of God, the Virgin Mary, and on the other that of the Blessed Confessor," and he there places the scene of death.

<sup>2</sup> William Fitz Stephen claims the closest intimacy with Becket, and that he was one of the three—Robert of Morton and Edward Grim being the others—who remained to the last. William of Canterbury quaintly says, "Thinking I also was to be slain, conscious of my sins, and less fit for martyrdom than the blessed martyr, I turned away at once and went up the steps clapping my hands together."



## Death of John, Count of Eu

In the year 1170 died John, Count of Eu, Lord of Hastings. No additional records beyond those already mentioned have reached us of any military exploits of John, but his name is famous in the civil history of the capital of his county (Estancelin<sup>1</sup>) and as a founder and endower of monasteries. He retired to the Abbey of Foucarmont with his wife's consent, and like his father took the monastic habit. He died in 1170, at Foucarmont Abbey (*Gall. Christ.*, vol. xi. p. 304). He had married Alix d'Albinis<sup>2</sup> (or d'Aubigny), only daughter of William d'Albinis, Earl of Arundel, and Alix<sup>3</sup> de Louvain, Dowager Queen of England, the widow of Henry I., who survived him several years.

John was interred in the same tomb as his father at Foucarmont, at the foot of the High Altar, and his tombstone bears the following inscription :—

Sub hoc tumulo dormiunt  
Henricus primus Augi Comes  
Et filius ejus Joannes pietatis æque  
Ac dignitatis paternæ hæres,  
Hujus monasterii fundatores  
Ac postea in eodem monachi  
Et fratres piissimi. Animæ eorum  
Requiescant in pace. Amen.  
Sua funda dedere . . .  
Est pater Henricus primus gregis hujus amicus  
Ejus erat natus Johannes jure vocatus  
Filius Henrici fuit hic sed postea frater  
Hos monachos genuit domus hæc, Pia Mater.  
Qui legis, absque mora pro tantis fratribus ora

He had three sons, Henry, Robert (who witnessed his mother's grant to Robertsbridge Abbey in 1178, and died before Henry his brother), and John (Lord of Billington), and three daughters, namely, Matilda and Margaret (who died before their mother's grant to Robertsbridge) and Ida, who married William de Hastings (see *post*, 71).

With the reign of Henry II. commences a regular series of public records of which so few of an earlier period exist. So far as Hastings and its lords are concerned, with the exception of the Domesday Book and the solitary extant Pipe Roll of 31 Henry I.,<sup>4</sup> we have no earlier public document upon which to rely. We now come for the first time to a regular series of documents which

<sup>1</sup> See also *Cal. Documents, France*, vol. i. Ed. J. H. Round. Record edition, 1899.

<sup>2</sup> After the death of John, Count of Eu, Alice was married to Alured de St. Martin, the reputed founder of Robertsbridge Abbey, of which this Alice was one of the earliest benefactors. As this Abbey subsequently held a stall in the Chapel within the Castle of Hastings, a short history of it is to be found in the description of the Prebends. Queen Adeliza's estate lay in Romney Marsh, and comprised (*inter alia*) the Manors of Snargate, Bilsington, and Elham. The estate was inherited by her younger son John. The Countess survived her son Henry, but died before 1204 (*Dugdale's Monasticon*, vol. v. p. 667, No. III.).

<sup>3</sup> Adeliza, *Robert de Monte*, 1170.

<sup>4</sup> Hastings is not directly mentioned in this Pipe Roll, but see *ante*, 31 Henry I.

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### *From the Red Book of the Exchequer.*

Payments in respect of knights' fees, 14 Henry II.

#### SUSSEX.

Date 1167-8. (*Inter alia*.) The Count of Eu, £44 6s. 8d.

Date 1171-2. The Count of Eu, £46 10s. od., by the Earl of Arundel (his guardian).

Date 1186-7. The Count of Eu, £46 10s. od.

## Knights' Fees

are documents of Courts of Record, and therefore legal evidence of what is therein contained. England had been for so many years wasted with wars, public and private, that Henry II. resolved that, instead of utilizing English flesh and blood in his foreign and frontier wars, it would be better to allow those who might wish to compound for the service of the military tenure to pay a tax, which was called Scutage. The Scutage was levied on each "Knight's fee." Much difference of opinion exists, and has existed apparently for many centuries, as to the exact determination of the value and amount of land included in a Knight's fee. Strictly speaking, and from an ideal point of view, a knight's fee was so much land of inheritance as was esteemed sufficient to maintain a knight with a suitable retinue. By statute 1 Edw. II. such as had £20 per annum might be compelled to become knights, but this act was repealed by 16 Car. I. Sir Thomas Smith rates a knight's fee at £40 yearly. According to Lord Coke a knight's fee contained 12 carucates or plough-lands: the exact quantum of the knight's fee, however, does not seem to have been fixed. M. Masseres (*Archæologia*, vol. ii. p. 385) reckons it at about 680 acres, and says that the Earl of Ou's (Eu in Normandy) fee or Barony of Hastings in Sussex, contained 62 fees and a fraction, which calculation makes the land belonging to him in this Rape to have consisted of about 42,160 acres. Stowe—quoting Orderic Vitalis—says that "there were found, at the time of the Conqueror, 60,211 knights' fees in England, of which the religious houses held nearly half." By the Feudal System all the lands in the kingdom were divided into knights' fees. For every fee a knight (*miles*) was bound to attend the King in his wars 40 days; by which means the monarch could immediately command an army of 60,000 men on an emergency. This personal service afterwards degenerated into pecuniary compositions or aids, and finally was abolished with the Feudal System at the Restoration. The terms "New Feoffment" and "Old Feoffment" were applied to those fees which were granted after or before Henry II.

About the middle of the thirteenth century, the number of knights' fees in England was officially computed (for rating purposes) at 32,000. It is not probable that, on the grant by the Conqueror to his greater vassals, the service of any special number of knights was stipulated for. The old English customary obligation of one warrior to serve in respect of five "Hides" would have then applied. On the subdivision of an estate by the chief vassal (or "tenant *in capite*") among his tenants, care seems to have been taken, in some cases, that each tenant should respectively undertake to furnish a proportion of the number of knights due from the whole. This proportion does not appear to have been fixed so much on the acreage as on the relative rentals and valuations of each of the holdings. In other cases no doubt it was fixed according to the terms of the grant or enfeoffment to the tenant. An annual rental of £20 was, until Edward I.'s time, deemed to be the qualification for knighthood, and it is therefore possible, but by no means certain, that land which produced such an annual value may have been reckoned as the knight's fee.

It is, on the other hand, equally possible that the obligation by a tenant to furnish a certain number of knights was not necessarily limited to any proportion of the amount of land held by a tenant, but may have been arbitrarily fixed by the lord in the terms of the enfeoffment. Thus neither the rental value nor the acreage of land, which ought, under some computation either old or new



## Knights' Fees in the Rape

to be rated at a certain number of knights' fees, would have any relation whatever to the number of knights stipulated to be furnished by the terms of the enfeoffment.

In the time of Henry II., the knight's fee becoming liable for scutage, it was found impossible on any clear principle to make a satisfactory computation of the number of knights' fees throughout the realm.

By order of Henry II. certain inquisitions were held throughout England for the purpose of ascertaining the number of knights' fees held by the tenants *in capite*, and on that occasion John, Count of Eu, certified as follows :—

Sussex. Charter of John, Count of Eu (*circa* 1167).

John, Count of Eu, to Henry, King of the English, Duke of Normandy, and Aquitaine and Earl of Anjou, Greeting.

"Know ye that I have of old enfeoffment in the rape of Hastings 56 knights' (fees), but my father in the time of King Henry, your grandfather, used to have 60 knights in the same rape, 4 knights whereof the Bishop of Chichester now has, whereof you have the service. Of these 56 knights, holding in the aforesaid rape of the old feoffment, the names are these :—

Humphrey de Willecheres, holding 7 knights' (fees).  
William de Hekingham (Etchingham) 7 knights.  
Matthew de Baelum (Bælum, (?) Bacchu) 10 knights.  
Roger de Bodiham (or ? ex. another list Thomas de St. Ledger) 4 knights.  
Hurste de Warbertone (Warbelton ?) 5 knights.  
Gilbert de Balliol 4 (3 ?) knights.  
Robert de Ricarville (Ricarwell) 10 knights.  
Reginald de Oseburnham (Asseburnham) 2 knights.  
Walter Morlay (Morley) 1 knight.  
William de Wikes hale (Wekeshall) 1 knight.  
Hugh de Chekenora, 1 knight.

"And besides these knights I have upon my lordship 6 knights and a half whereof the names are these :—

Alured de St. Martin, 1 knight.  
Robert Strabo, 1 knight.<sup>1</sup>  
Robert del Broc, 1 knight.  
William de Bosco, half a knight (knight's fee).  
William de Lancinges, half a knight.  
Daniel de Crevequer (*sic*).  
Roger de Freham (Trocham) (*sic*).  
Robert de Hastings, half a knight.

"Of the new feoffment I have no knight enfeoffed."<sup>2</sup>

For further information on our subject under this reign we must now turn to the records called The Great Roll of the Pipe (so called from its shape). The Rolls or series of rolls of accounts were kept by the Court of Exchequer, where the financial business of the country was supervised. The name "Exchequer" was derived from the black-and-white chequered cloth on the table at which, by means of counters, the Sheriffs' accounts were taken. From the records it would appear that, previous to the reign of Henry I., the business of this Court was transacted by means of "tallies," but it seems probable that during this reign

<sup>1</sup> From the demesnes of this Robert de Strabo, or Strabone as he is afterwards called, Henry, 5th Count of Eu, in his confirmation-charter of the College as above, grants to the treasury of the church of the same 6s. yearly.

<sup>2</sup> The text is taken from the Latin of the Rolls Edition of the Red Book of the Exchequer That in parentheses from another reading.

## The Pipe Rolls

the Exchequer cloth was first introduced into this country for a means of calculation. The Court was presided over by the Chief Justice, on whose left sat the Chancellor and on his right the Bishop of Winchester and the Treasurer, together with "certain of the greater and most discreet men in the Kingdom" (*Dialog. Scacc.*). The general scene resembled the playing of a great game of chess<sup>1</sup> wherein the Sheriff and the Treasurer were the combatants—the rest of the Court acting in various capacities, judging and recording the proceedings. At Michaelmas and at Easter these accounts were annually taken within two Chambers at Westminster. In one of these, an upper chamber, the accounts were delivered by the Sheriff to the Court already mentioned, in a lower chamber (called the "Receipt") money was counted, and received, and paid, having been weighed and tested with fire.<sup>2</sup> The accounts made up at the Exchequer were entered in three great rolls: the Chancellor keeping what was called the Chancery Roll, the Treasurer another called the Great Roll of the Pipe, and the third was kept by the King's Registrar, whose duty it was to note any matters of legal or special importance. Fortunately these documents are, for the most part, still preserved at the Record Office. The Pipe Rolls, although little explored, are believed to be complete from the second year of Henry II., but only one earlier exists, namely, that of 31 Henry I. This earliest Pipe Roll does not contain matter immediately relating to our subject; but those of Henry II. and some of the later reigns contain much that is of great importance to this history. It will be seen from them that the Sheriff of the county was responsible for the proceeds derived from all sorts of revenues of estates and fines. He received money from other officers of the King, for which he was bound to account. Having administrative duties to perform within the county, he was permitted to retain some portion of the revenue for current expenses. He was also permitted to produce cross accounts for payments which he had made by the written order of the King. These writs he produced at the Exchequer, and they were compared with their duplicates or counter-writs entered in the "Liberate" or Payment Rolls at their time of issue. Technically speaking, his account was rendered in respect of what was termed the "ferme" or "farm" of the county; for these revenues were farmed out to the Sheriffs by the Crown, and those officials were compelled to show in their accounts a certain sum due to the Crown from the farming of the county revenues and fines. The moneys collected over and above this sum were retained as profit by the Sheriff; but, on the other hand, should he fail to collect enough to satisfy the King's due in the ordinary course he was compelled to make good the difference out of his own proper moneys.

Accordingly, at an Exchequer the Sheriff made his "proffer" of what he deemed was due to the Crown, after estimating for current expenses which had been duly authorized. The account thus being taken after the primitive manner before described, and the counters all being arranged on the chequered surface according to the indebtedness or otherwise of the Sheriff, the final position of the board or table was then taken and calculated, in the view of all present, and the result entered in the Rolls by the scribes under the supervision of the

<sup>1</sup> See *ante*, p. 47, where a contemporary chronicler refers to the "game" of the Exchequer, at which Becket was seated as Chancellor.

<sup>2</sup> For a full and interesting and contemporary account of the proceedings, see the "*Dialogus de Scaccario*."



## The Constables' Duties

Treasurer, the Chancellor, and the King's Registrar and others. A receipt for the amount paid by the Sheriff was then cut on a long thin piece of wood, specially chosen and provided by the proper officer. The cuts or strokes denoting pounds, shillings, and pence were made from side to side broadwise, according to a then well-known arrangement. The piece of wood was then split down lengthwise, one piece was handed to the Sheriff, and the other was kept by an official of the Court. When the account was again taken at the next half-year, this piece was produced by the Sheriff, and it was then compared, in order to see whether it *tallied* with that piece in the possession of the Court. Any alteration of either piece would thus be immediately detected. It was found possible in this rude and primitive fashion, by the use of "tallies"<sup>1</sup> of varying form, to furnish satisfactory receipts, not only for payments, but to give credit for sums paid on account and to record an entry of any balance due, thus keeping a current account between those accounting and the Crown.

The duties of the Constables of the Castle whom we find so frequently mentioned in the Pipe Rolls seem to have been exceedingly multifarious. Their responsibility did not merely lie in the defence of the Castle and the general military organization of the Castle-ward, but they had to perform many offices of fiscal importance, personally and by their bailiffs, such as the collection of lastage and fines, the arrest of ships and evil-doers, and generally the care and supervision of the interests of the King in the Rape and in the Cinque Port and its members within the Rape. Their duties, though sometimes coincident, were distinct from those of the Barons of the Cinque Port, who maintained their own privileges and jurisdiction, of which they were very properly extremely jealous. Thus we find them being distinctly mentioned as receiving separate orders direct from the Crown, on all matters of State demanded of them and the Constable. The names of many Constables of the Castle of Hastings appear in this history, and so long as the Castle was regarded as of military importance, the Constables seem to have been men of good family and of renown. The history of most of them might easily be traced, if space in this volume would allow. The following extracts from the Pipe Rolls of Henry II. and the *Liber Rubens Scaccario* or Red Book of the Exchequer will illustrate the mode of entry of the Constable's and Sheriff's accounts; and they also afford most interesting and important details of the building work carried out at Hastings Castle during this reign. (See Account of the Military Architecture of the Castle, *post.*)

<sup>1</sup> So large a number of these tallies had accumulated at Westminster that in 1834 they were ordered to be burned. A stove becoming thereby overheated, it set fire to the Houses of Parliament, which were destroyed.

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### (From the Red Book of the Exchequer.)

#### 2 Henry II. Rot. 12, m. 1, 2. Lastage of Hastings, Sussex.

Malgerus Malcovenant (Mauger Maleuvenant), Sheriff, renders account of the farm of the County. (*Inter alia*) owes 60 shillings of the lastage of Hastings.

#### 3 Henry II. Rot. 3, m. 2.

(*Inter alia*) The same owes six pounds, lastage for two years, of Hastings.

### (From the Pipe Rolls.)

#### Sudsexa, 6 Henry II. Rot. 7, m. 1, in dorso.

Walchel. Maminot renders account of 40s. of the lastage of Hastings. He delivered it into the treasury, and he is quit.

[This is the Walchelin Maminot who defended for the Earl of Gloucester Dover Castle

## The Building of the Castle

against Matilda in 1238. He was one of the eight knights who held lands in Castle-guard for the defence of Dover ; and he was nephew of William Peverell (Mon. Ang., ii. 522).]

7 Henry II. Rot. 2, m. 2, in dorso.

New pleas and new covenants.

The Bishop of Chichester (Sheriff) (*inter alia*). For work at the Castle of Pevenesel, 63s. 8d. And in work of the Castle of Hastings, 66s. 8d., and he owes 5s.

Walchelin Maminot renders account of 60s. of the lastage of Hastings. He delivered it into the treasury, and he is quit.

8 Henry II. Rot. 4, m. 1.

Walchelin Maminot renders account of 60s. of the lastage of Hastings. He delivered it into the treasury, and he is quit. (So also 9 Henry II.).

10 Henry II. Rot. 1, m. 1.

Walchelin Maminot renders account of 60s. of the lastage of Hastings. He delivered it into the treasury, and he is quit.

11 Henry II. Rot. 10, m. 1, in dorso.

The Count of Eu owes 100 marks for the pledge of Thomas the Archbishop.

[The same entry occurs in the Pipe Rolls for the years 11, 12, 13, 14, 15, 16, 17, 18 and 19 Henry II.]

13 Henry II. Rot. 3, m. 2.

Walchelin Maminot renders account of 60s. of the old lastage. He delivered it into the treasury, and he is quit.

The same renders an account of the new lastage of 60s. In victualling of the Castle of Hastings, 60s., by writ of the King, and he is quit.

The Count of Eu (*inter alia*). And in liveries, etc., and for bacon for the victualling of the Castle of Hastings, 45s. By writ of the King.

The Count of Eu owes 100 marks for the pledge of Thomas the Archbishop. 13 Henry II. Rot. 3, m. 1, in dorso. Vol. ii. p. 37.

15 Henry II. Rot. 4, m. 2, in dorso.

Of aids of the Knights, for marrying the King's daughter (*inter alia*). The Count of Eu owes seven pounds.

[The following probably relate to this item :—

1168 (Chron. Robt. de Monte). Matilda, daughter of King Henry, was conveyed to Germany with an immense sum of money and in very great state, to her husband Henry, Duke of Saxony and Bavaria.

1169 (R. de Wendover). This year Eleanor, King Henry's daughter, married Alfonso, King of Castile. Robt. de Monte (1170?) says that she was married to the Emperor, Arnfurst, who had not then reached the fifteenth year of his age.]

16 Henry II. Rot. 10, m. 1.

Roger Hai (*inter alia*). The same Sheriff renders account of 15s. of the lastage of Hastings of the fourth part of the year. He delivered it into the treasury, and he is quit.

Walkelin Maminot owes 45s. of the same lastage of three parts of the year.

17 Henry II. Rot. 8, m. 1, in dorso.

Reginald de Warrenn (*inter alia*). The same sheriff renders account of 60s. of the lastage of Hastings. He delivered it into the treasury, and he is quit.

Walkelin Maminot owes 45s. of the same lastage of three parts of the year.

Of Purprestures

[*i.e.*, moneys arising from fines levied for encroachments and escheats].

*Inter alia* mention of army sent to Ireland. The same sheriff renders account.

And for drawing of lime and stone for the work of Hastings, 63s. 4d., by writ of the King.

And in the livery of the serjeant who was sent with the aforesaid materials, 7s., by writ of the King.

And for the tackle of ships, 16d. ; and in the liveries of 8 masters and 152 sailors for 15 days, £10 10s., by writ of the King.

18 Henry II. Rot. 9, m. 1, in dorso.

Reginald de Warren renders account of the farm of Sudsex. Into the treasury nothing (*inter alia*). And in drawing of stone and lime to make the tower of Hastings, £6, by writ of the King, and in the passage of Alured de Sancto Martina, 7s. 6d., by writ of the King.

[The building of "the tower" ("tur") is here referred to ; it may mean the master tower or keep of the fortress at Hastings (see Military Architecture of the Castle, *post*).]



# The Tower of Hastings

The same sheriff renders accounts of 60s. of the lastage of Hastings. For 2 horses (*equis*) sent to Ireland, 60s., by writ of the King, and he is quit.

[These horses were for the use of the King on his expedition to Ireland. See Roger de Hovenden, 1172.]

Walkelin Maminot owes 45s. of the same lastage for three parts of a year.

[This entry is repeated 20 Henry II.]

## Of Purprestures.

The same sheriff renders account (*inter alia*). And in drawing stone and lime to make the tower of Hastings, £13 12d., by writ of the King, by view of Alanus Juvenis and Peter the Clerk and Robert Fitz Wulfruehant.

Of scutage of the knights who neither went into Ireland, nor knights (*sic*) nor sent money there. Rot. 9, m. 2, dorso. The Earl of Arundel renders account of £66 10s. for the knights of the fee of the Count of Eu. Into the treasury £52, and he owes £14 10s.

[The same entry is repeated in 19 Henry II.]

19 Henry II. Rot. 2, m. 1.

## Of Purprestures.

Reginald Fitz Warren (Sheriff). In works of the Castle of Hastings, £43 12s. 9d., by the same writ by view of William de Walton and Peter the Clerk and Robert Fitz Simon, and in provisioning of the Castle of Hastings for 100 loads of corn, £10, by writ of the King.

Sum of the money which the sheriff sent for the work of the Castle of Hastings this year, £47 2s. 9d.

The same sheriff renders etc. (*inter alia*) and in liveries of the knights and serjeants of Hastings, £4 18s., by writ of the King, and he is quit [also for £26].

And in liveries of the knights and serjeants of Hastings, £19 23s. 6d., by writ of the King.

And in obtaining provisions for the Castle of Hastings. For 60 bacon pigs, £6, by writ of the King.

And in liveries of the knights and serjeants of Hastings, £17 14s. 3d. by writ of the King.

Sum of the money which the sheriff sent in liveries of the knights and serjeants of Hastings, £67 14s. 9d.

Reginald de Warren renders account into the farm of Sudsexa—nothing.

(*Inter alia*) And to the knights and serjeants residing in the Castle of Hastings, £26 of imposts upon these liveries by writ of the King, and he is quit.

The same sheriff renders account of (*inter alia*) sum £22 19s. 3d. In work of the Castle of Hastings this year £23 8s. 8d., by writ of the King.

19 Henry II.

Reginald de Warren, etc., etc., (*inter alia*) and in the liveries of the knights and serjeants in the Castle of Hastings, £26.

Walkelin Maminot owes 45s. of the lastage of Hastings of three parts of the year.

The same sheriff renders account of 10s. of the wood of Esseherst (frequently mentioned).

And of 60 shillings of the lastage of Hastings. In work of the Castle of Hastings delivered by writ of the King.

20 Henry II. Rot. 2, m. 1.

## London and Middlesex.

Ralph Vinit (the vintner?) renders account of (*inter alia*).

Reginald de Warren 100s. for making impost for the knights and serjeants of Hastings by writ of Richard de Luci.

Andrew Bukerel renders account of (*inter alia*) the same as the preceding items.

20 Henry II.

Reginald de Warren renders account of the farm of Sudsexa. Into the Treasury nothing.

And in settled alms to the knights of the Temple 1 mark.

And to the Earl of Arundel £13 6s. 8d. of the third penny of the county.

And to the knights and serjeants residing in the Castle of Hastings, £26 of an impost upon their liveries by writ of the King. And he is quit.

Walkelin Maminot owes 45s. of the lastage of Hastings of three parts of the year.

The same sheriff renders account of 60s. of the lastage of Hastings.

Sum £22 19s. 3d. In works of the Castle of Hastings this year, £23 8s. 8d. by writ of the King. And by view of William de Walton and Peter the clerk. And he has of surplus 9s. 5d.

23 Henry II.

Gervaise de Cornhull, sheriff of Sussex, renders account of 20 marks of the aid of Hastings. (*Mag. Rot.*, 2 R. 11 b.)

## Count Henry (II) of Eu

On the death of John, Count of Eu, Henry (being the second of that name), his eldest son, succeeded him in the County of Eu and the Lordship of Hastings in the year 1170.<sup>1</sup>

He married Matilda,<sup>2</sup> widow of Osbert de Preaux, the daughter of Hamelin Plantagenet (Earl de Warren and Surrey,<sup>3</sup> by right of his wife. He was natural brother of king Henry II.), by whom he had two sons, Raoul (his successor [?], but who died a minor in 1186), and Guy (who died a minor in 1185). They were buried at Foucarmont. Only one child grew of age to succeed him, a daughter, Alix, of whom we shall hear later.

In 1172, while Henry II. was away in Ireland, his son, who had been crowned King of England, grew dissatisfied with his position, as being merely king in name; and certain relatives, including his own mother, Queen Eleanor, stimulated such dissatisfaction, asserting that it was inconsistent for any one to be king and yet not to have due authority in his dominion. Accordingly, in the next year (1173) he withdrew to the Court of his father-in-law, Louis, the King of France, and in the same year Louis, the young King Henry, and Philip, Count of Flanders, made an incursion into Normandy, whereupon those about Henry the Elder, the King of England, fell off from him, deeming that the son had every prospect of supplanting him. Among those who supported Henry (the son) was the young Henry (II.), Count of Eu (*Gesta Henrici II. Benedicti*, vol. i. p. 45). A large number of the nobles surrendered their castles, including Geoffroy de Lusignan and Hugh de S. Maur, his son. Philip, Count of Flanders, took the Castle of Albemarle and its lord, William of Albemarle, and Simon, Count of Evreux; and hearing of this, Henry, the Count of Auch (Eu), surrendered himself and his castles to the young King and the Count of Flanders (*Robt. de Monte*, 1173). In the next year (1174), while Henry was doing penance at the tomb of St. Thomas of Canterbury, his son Henry was preparing a large fleet to invade England; but a storm dispersed the fleet (which was almost lost), and "the young King" was thrown back on to the coast of France, while the King of Scotland was taken prisoner and confined at the castle of Richmond. In 1175, the King's enemies in Normandy, realizing the costliness and fruitlessness of their attacks, brought about a reconciliation between the King and his sons.<sup>4</sup>

<sup>1</sup> He was then under age, for we find that in 1171 his uncle, the Earl of Arundel, paid £66 10s. for his ward's scutage for the expedition to Ireland. See Pipe Roll, 18 Henry II. (Suffolk).

<sup>2</sup> She survived her second husband twenty-four years, and died in 1207. Henry of Eu's wife, Matilda, is mentioned in a deed of Confirmation to the Abbey of Battle, preserved among the Battle Abbey Charters. The Confirmation is in respect of whatsoever men, both in England and Normandy, have given or shall give to the said Church for the health of their souls, except the head of the manor, and the Knight's service which he granted for the salvation of his soul, of the souls of his father and mother, of the soul of Matilda his wife, deceased, of the souls of his kindred, and of all his parents and ancestors. The witnesses were, Geraldus de Normanilla, "Dapifer meus" (my steward), Aegelramus Vicecomes, Anselm de Frævilla, Hugo Defulcarmonthe; and on the part of the Monks were, Aelredus "Dapifer Abatus" (Steward of the Abbot). (Autograph attestation, and others, no date.)

<sup>3</sup> Estancelin says (? authority) that "Henry married Mahaut, daughter of William of Gloucester." In 1176 (*Rog. of Wendover*) William, Earl of Gloucester, not having a son, and unwilling that his inheritance should be divided among the daughters, constituted the King's son, John Lackland, his heir—who had married one of his daughters.

<sup>4</sup> In 1178, Henry (II.), Count of Eu, was fully reconciled to King Henry. He was with him at Bec on the 19th March of that year, and witnessed the King's grant to that Abbey of a rent-charge of £100 per annum (*Robt. de Monte*; *Strauve*, p. 922).



## Confirmation Charter of the Church

Count Henry (the second), of Eu, among other ecclesiastical endowments, gave a portion of the forest known as Bois l'Abbé to the Abbey of Eu. The charter confirming the same, after reciting the usual consideration for the donation—namely, For the love of God and the repose of the Count's soul—mentions also that it was for the souls of his father and mother, and that of the young crowned King (son of King Henry II.). This charter is undated, but was probably executed in the year that the young Prince died (June 11th, 1183). He witnessed and approved his mother's grant to Robertsbridge Abbey in 1178 (*Monasticon*, vol. v. p. 667; see also *post*, History of Robertsbridge), and he gave the Abbey the manor of Worth in the parish of Brightling, for the soul of his brother Robert. The Confirmation Charter to the Canons of St. Mary in the Castle at Hastings of his grandfather's and ancestors' grants is now given:—

### CONFIRMATION CHARTER OF THE CHURCH OF ST. MARY-IN-THE-CASTLE.

*Charter Roll, 22 Edward I. Enrolment No. 32.*

*Inspeximus of the Charter of Count Henry (II.) of Eu.*

[Edward etc. Greeting, etc., Whereas we have inspected the Charter which Henry formerly Count of Eu made to the church of Saint Mary of Hastings which is our free Chapel and to the Canons of the same church in these words.]

Henry Count of Eu to all his men French and English greeting Know ye that I do grant and by this my present charter confirm the prebends of the Church of Hastings as by my ancestors in free perpetual alms are granted as witness the charter of Henry my grandfather AND moreover I will and firmly command that the fruits of the prebends, wheresoever they may be or in whose gift soever, shall be paid to the Canons of the same Church entirely and without molestation. And lest anyone anything subtract or diminish, I moreover grant and confirm the rents of the Treasury of the same church appertaining to wit, of my sheriffdom the yearly tenth penny, of the lordship of Burghersia 10s. of Bulwarehetha 6s. in the same town of a certain dwelling which was of Ulnard 12d. of Chodinges 2s. of Filesam 4s. of Rokeland 4s. of Sandhresta 12d. of Lunesford the tithe of the lordship, of Robert Strabone 6s. of Knella 8s. of Oxenebrigg 4s. of Leges 4s. of Uppene 2s. of Morlaia 12d. of Overslage 12d. of Crohersta 18d. of Barsell 18d. of Hora 2s. of the boat (*Battello*=perhaps fishery) of Winchelsea, the tithe of Forhesta the tithe of Petresham 16d. and 4 dwellings in Yeshetha (Ewehurst) which William son of Robert gave to the Church above-said namely 2 dwellings which were of Reinbert and one which was of Kys and the fourth which is against the posterne of Wiggesell 2s. of Fudil and 15d. Also William son of Wibert forasmuch as he had retained a tenth of the sheriffdom of the County, gave and granted to the Treasury of the church abovesaid the tithe of the undercastle (*subcastello*) for ever to remain. And as an atonement of the guilt of Ingram de Scotney gave and granted the lands of Betenessa.

[We also this grant, confirmation and gift aforesaid ratifying and confirming for us and our heirs so much as in us lies to the said Church and Canons of the same and their successors granting and confirming as the Charter aforesaid reasonably witnesseth. These being witnesses The Venerable fathers A. Durham, W. Ely and W. Bath and Wells, Bishops, William de Valence our Uncle, Henry de Lacy Earl of Lincoln, Reginald de Grey, Walter de Beauchamp Richard de Bosco and others. Dated by the hand of the king at Westminster 4 December.]

Mention should be made of certain provisions which were adopted during this reign, namely, in 1181—as a scheme for the military defence beyond and in addition to the already existing system of “scutage.” This celebrated measure was known as the Assize of Arms, and dealt with the personal armament which knights, free-men, and others were bound to maintain.

Henry's closing days were embittered by frequent quarrelling with his sons. His first-born son, Henry, died in the 28th year of his age, in 1183, and his second son, Geoffrey, in 1186. The latter left a posthumous son and heir to the throne of

## Death of Henry I

England, Arthur. The King kept his wife Eleanor in prison, on account of her intrigue with her sons, and it is also said on account of the murder of Henry's mistress, "The Fair Rosamund." The quarrel between Henry and his son Richard of Poitou and Henry's ill success brought his reign to a close in 1189. He died at Chinon on July 6th, from a renal disease, accelerated by bitter grief and disappointment.



## CHAPTER VI

### RICHARD I



RICHARD I. was crowned at Westminster on September 3rd, 1189. Having been the first of all the princes on this side of the Alps in taking up the Cross for the third Crusade, he was unwilling to be the last in setting out (*Mat. Westminster*, 1189), and actually started for the Holy Land in the first year of his reign.<sup>1</sup>

After various dearly won successes in the Holy Land, Richard, although within sight of Jerusalem in 1192, found himself so weakened by loss of troops, and was so harassed with news from home concerning the state of his kingdom, that he concluded a three years' truce with Saladin. Richard set out on his return home, but was taken prisoner by Leopold, Duke of Austria, whom he had insulted when in the Holy Land. Leopold subsequently gave his captive over to Henry VI., Emperor of Germany, who imprisoned him, awaiting a ransom from Richard's English subjects of £300,000. On this occasion a scutage or aid was levied throughout England for the purpose of paying the ransom; and we find that the Count of Eu on that occasion paid £62 10s. 8d.<sup>2</sup> Richard, on being released, made his way to England, and landed at Sandwich on March 13th, 1194.

<sup>1</sup> *Red Book of the Exchequer.*

Payments in respect of military fees.

Date 1190-1.

Anno 2 Richard I.

SUSSEX.

Henry of Eu, £33 6s. 8d.

William de Breosa.

Henry de Percy.

William de St. John.

Robert Peverel.

William son of Richard de Chahayques.

[It has been stated that Count Henry (II) of Eu, accompanied his sovereign in the expedition Estancelin; ? authority), but his name is not mentioned specifically among the nobles enumerated by Geoffrey de Vinsauf—in his Itinerary of Richard I., and others to the Holy Land, nor by Richard of Devizes. The date of his death is much disputed. Mr. Stapleton, in his *Norman Exchequer*, vol. ii. p. 232, states that he died in the same year as the young prince (1183). But he executed a confirmation charter of the manor of Hoo to the Church of St. Martin du Bosco in (1190 (see *Cal. Docs.*, France). The annals of Bermondsey relate a grant by him in 1194, and he appears in the Red Book as above. His widow married Henry D'Estouteville, Seigneur de Valmont (who died 1228), and died March 30th, 1207, and was buried at Foucarmont Abbey.]

<sup>2</sup> *Red Book of the Exchequer.*

Scutage at 20s. to redeem Richard I.

SUSSEX.

Date 1194-5.

William son of Richard de Khaynes, 37s. 6d.

Norman de Normanville, 4s. 2d.

Roger de Tony, 40s.

Hawis de la Guirche, 40s. of the fee of Wepleham.

Henry de Percy, £22 10s.

Robert Peverel, 8s. 4d. in two parts of a fee of the fief of Morettove.

Wm. de Belemes, £4, four knights.

## Death of Count Henry (II) of Eu

We find in 6 Richard I. that a certain Count of Eu was rated at £44 10s. for Scutage (*Mag. rot. 6 Rich. I. rot. 16. 2*).

### *The Red Book of the Exchequer.*

Date 1196-7. Eighth year of Richard I.  
The Scutage of Normandy at 20 shillings.

#### SUSSEX.

The Count of Eu, £52 10s. 0d.  
Emugerus de Bohun, 50 shillings.  
William son of Richard de Kahaigues, 37s. 6d.  
Norman de Normanville, 4s. 2d.  
Roger de Tony, 50 shillings.  
Hawis de la Gyrche, 50s. in the fee of Wepeham.  
Henry de Percy, £22 10s.  
Robert de Peverel, 8s. 4d. of two parts.  
William Belneye, £6.

[From the absence of the Christian name of this Count of Eu in the Pipe Roll it is not clear whether this was Henry of Eu, or his son-in-law Ralph (his successor by marriage). If Estancelin is right in saying that a manuscript at the Abbey of Foucarmont fixes the marriage of Alix of Eu with Ralph de Lusignan in 1200, then the Count of Eu who contributed to the ransom of Richard Cœur de Lion must have been Henry.]

With Henry virtually terminated the male line of the Counts of Eu. His two sons, as already stated,<sup>1</sup> having died minors, his only surviving child, Alice, succeeded to his estate. This heiress was (probably) a mere child, but according to the custom of the time a husband was soon found for her by Henry II. The person selected was Ralph de Lusignan (variously spelt Lesignan, etc.), Seigneur de Exoudun, younger son of Hugh (VIII.) Sire de Lusignan by Bourgagne, daughter of Geoffrey de Rancon, Seigneur de Tailleburg. He was distantly connected with both the Kings of England and France. He was brother of Guy de Lusignan, a celebrated Crusader, and well known to historians as "King of Jerusalem and Cyprus." Ralph was a great favourite of King Richard I. He went to the Holy Land in 1189, and is mentioned among the knights encamped on the heights of Acre in 1190 (*Rog. Wendover*). On his return from the Holy Land, the custody of "Drincourt Castle" and the defence of the frontier were entrusted to him.

<sup>1</sup> See page 58.



## CHAPTER VII

### KING JOHN



ON the death of Richard I. (April 6th, 1199), considerable opposition was offered to the claims of John for the Crown both in England and in Normandy. On account of the friendship of Hubert, the Archbishop, and in view of the many promises made by John, the opposition in England was overcome. Landing, therefore, at Shoreham from Normandy on May 25th, 1199, he was crowned two days later at Westminster.<sup>1</sup> Chiefly owing to the youth of Arthur, and to the address of John's aged mother, Eleanor, the opposition in Normandy also was subsequently overcome.

The following documents record the allegiance of Ralph, Count of Eu, and its acceptance by King John:—

#### *Extracts from the Charter Rolls*

*1 John. Membrane 28, dorso.*

John by the grace of God etc. to all to whom the present writing shall come, greeting. Know ye that we have taken our beloved and faithful Hugh count of March and R[alph] count of Eu, to be our liegemen. Moreover we will love and assist them as our faithful and liegemen and maintain and defend their rights for them wholly against all men with good faith, nor will we suffer them to incur damage or loss in any their rights or in anything whereof they are invested and seised, either from us or our people except by judgment of our court so long as they shall faithfully serve us and so long as they will submit to the judgment of our court. And that all these things shall be faithfully observed towards them, we give them security both by ourselves and by those whose names are written below and by their oaths. William de Humez constable of Normandy, William Mareschall earl of Pembroke, Geoffrey de Cella, John Peter and William Pratelle, Warren de Glapioñ, William de Stagno. Witness myself at Cadom' (Caen), the 28th day of January in the first year of our reign (Jan. 28th, 1199–1200).

Know all men present and to come that I Hugh Brune count of March, and I Ralph count of Eu, are liege men of our lord John the illustrious King of England against all men and women who may be alive and dead, and in and by all things watch for his honour and advantage faith-

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<sup>1</sup> *From the Red Book of the Exchequer.*

Date 1199–1200.

Anno 1. John.

The Scutage of Normandy at 2 marks.

#### SUSSEX.

William de Kahaignes, 3 fees in Moritone (Moritove?).

Norman de Normanville, third part of a fee of Moritove.

Hawis de Guircha, 4 knights' fees of Wepham.

Henry de Percy, 45 knights.

William de Belmes, 12 knights.

The Count of Eu (*sic*).

## King John at Hastings

fully to the utmost of our power, and to obtain, recover and maintain all his rights we will help him faithfully to the utmost of our power against all men, and even against those who are or shall be of our race. In the same way to the utmost of our power we will not suffer that our lord the King of England shall suffer any loss or detriment soever at any time during our life through our kinsmen or others. And to observe all these things faithfully and in good faith for ever we give him security both of ourselves and our oaths, and of our men whose names are written here and of their oaths. Gocelin de Lezay, Gwido de Bernezay, Hugh de Rupeforti, Laon Clareti, Aimerici Buccé, William de Perat', Reginald his brother, Ernald de Prissay, John Erami, William Haler, Bertram Vilaret, William de Macre, Simon de Ociman. The aforesaid moreover gave security on the part of me to wit H. count of March. The underwritten however gave security on the part of me Ralph count of Eu; Maingatus de Metulo, Kalo his brother, Aimericus de Quersay, Hugh de Bawzayco, Gaufr' Roillet. These things were done at Cadom' in the month of January, in the 28th day of the month, in the first year of the lord King John (Jan. 28th, 1199-1200) before William de Humez constable of Normandy, William Mareschall earl of Pembroke, John de Pratell', Geofr' de Cella, Warren de Glapion, William de Stagno.

### 1 *John. Membrane 24 dorso.*

To his dearest lord J. by the grace of God, King of England, etc., his faithful Robert, Earl of Leicester, greeting. Know that I have redeemed Geoffrey de Bosram for £100 Anjou money in your hands, on condition that within 15 days of your causing me to be summoned I will return you the body of the aforesaid Geoffrey, or will make you a grant of the money abovenamed to wit £100.

The said Earl of Leicester undertook before the Lord King that he would see that he had the charter of the Earl of Eu for the £100 Anjou, according to the tenor of the Earl of Leicester's writ set forth above. And he commanded Henry de Grai, who had that knight, to deliver him to the aforesaid earls.

In 1200 John divorced his wife, Hawisia of Gloucester, who was related to him in the third degree of affinity, and married Isabella of Angoulême. This action laid the earliest seeds of the downfall of John. It insulted the house of Gloucester, and drew upon John the hatred of the Lusignans, Isabella having been betrothed to Hugh, the head of that powerful family. The King and the new Queen were both crowned at Westminster, by Hubert of Canterbury, in October, 1200. He kept Christmas at Guildford, and afterwards set out to Northumberland, where he exacted a large sum of money from the people of that county.

Returning towards the end of March, he made his way to Canterbury, where he underwent the seemingly superfluous ceremony of being again crowned with his Queen. He left Canterbury on March 28th, 1201, and probably journeyed thence to Hastings, where he arrived about March 30th, 1201.<sup>1</sup>

While at the Cinque Port he is said to have issued the following ordinance concerning the "Sovereignty of the Seas," which, although issued by so infamous

<sup>1</sup> It is nowhere recorded in contemporary chronicles that John was at Hastings in the second year of his reign, but only in 1216 (see *post*, p. 80). John and his new Queen were at Canterbury on Easter Day, 1201, where he was crowned for the third time, being entertained by Hubert the Archbishop. A document attested by the Archdeacon of Wells, in the presence of the King's Council, shows that he was at Canterbury on Easter Day (March 25th) in that year, and on the three following days, but no documents are known which show where he was on the three last days of Easter week. There is a letter by the King dated Sunday, April 1st, 1201, Westminster (*Rot. Chart.*, 1 Apl., M. 8, in dorso), and the Archdeacon of Wells was again attending the King at Windsor on April 4th. It is not improbable, owing to John's well-known habit of very rapidly travelling from place to place, that within the three days he had gone from Canterbury to Hastings, and Hastings to London.

The ordinance having been made by the Council or temporal Lords may account for its not having been enrolled by the Chancellor, the ecclesiastical Lords being absent. (See note in the Rolls Edition [Twiss] *Liber Niger Admiralitatis*.)



## King John Ordinances at Hastings

a sovereign, will ever be treasured in the mind and hearts of British sailors, namely :—

XXXV. "*Item*, it was ordained at Hastynge for lawe and custome of the sea in the time of King John in the second yeare of his reign by the advice of his temporal Lords :

"That if the Lieutenant of the King or the Admirall of the King or his Lieutenant in any voyage appointed by the Common Counsell of the kyngdom do at sea meet with any shyps of vessels laden or empty which will not stryke and vail their bonnets (strike and lower their sails) at the command of the Kyng's lieutenant, or the Kyng's Admirall, or his lieutenant, but makeing resistance against those of the fleet, that if they can be taken that they be reputed as enemies, and their shypes, vessells, and goods taken and forfeited as goods of enemies, albeit that the maysters or possessors thereof should afterwards come and alleadge the same ship, vessells, and goodes of friends of our lorde the Kyng, and that the Company therein be chastised by imprisonment of their bodies for their rebellion at discretion."

This and the following ordinances taken from the Black Book of the Admiralty are said to have been made by King John at Hastings :<sup>1</sup>—

### *King John's Ordinances at Hastings, 1201.*

XXVII. "*Item*, lett inquiry be made concerning those whoe have gathered and inclosed salt waters to the disinheritting of the King, and take the produce thereof and sett up fisheries in salt waters and erect weres, kiddles, and other such-like immoveable things,<sup>2</sup> so appropriating the same to their particular profit, where salt water should be common. If any man is indicted that he hath so appropriated salt water and taken to himself the issues and profits of the same, if he be one who holds by baronage from the King or other dignity, he shall be proceeded against, as it was ordained by King John in the Ordinance of Hastings. And if it be any other that doth not hold of the King or any dignity of Holy Church *Capias* shall issue forth against him and if he be thereof convicted he shall make a great fine to the King for the issues and profits, which fine shall be made by the High Admiral." (French, No. E, 34.)

#### (Article 34 with the Penalty.)

"Let inquisition be made in the case of those who collect salt water in pits and make fish-ponds, receiving the revenues and profits of the same to their own use and such things as being on salt water should be common to all.

"The Penalty, if they the offenders are indicted or arraigned therefore, they shall undergo the penalty of the ordinance of King John at Hastings, if they hold by baronage of the King or any Ecclesiastical dignity : but if they are of any other condition and are convicted on this charge they shall pay to our lord the King a heavy fine for their revenues and profits thus received. And this fine shall be paid through the Admiral in Chief and not any of his substitutes."

XXV. "*Item*, lett inquiry be made of keepers of ports, and water bayliffs who raise new customes and take extraordinary customes and amerciaments, for which reason merchants and marriners do abstaine from coming to this country with their merchandise. If any keeper of port or water bayly is indicted that he hath raised new customes for his private profit or his lord's profit and be thereof convicted, hee shalbe imprisoned for halfe a yeare, and the lord shalbe fined to the King or to the admirall. And whereas Englishmen have need to sell some of their merchandises for their victualls and necessities, and the keepers of ports would take the custome of all the merchandises which were in the said ship and say that the merchants had broake bulke of the ship, by which means severall merchants happen to sell their merchandizes to the great damage of the people ; King John thereupon caused the Admirals of the North and West and several others of his Counsell to meete, and ordained that noe merchant should pay custome for merchandizes which were not sold although they were put on shore. And if any bailiffe doth on the contrary he shalbe imprisoned for halfe a yeare, and shall be turned out of his office for ever, and shall be fined to the King as much as he tooke wrongfully." (No. D 55, No. E 36.)

<sup>1</sup> These ordinances are supposed to have been translated from the original French into Latin by Master Thomas de Roughton, one of the Registrars of the Court of Admiralty, *temp.* Henry IV.

<sup>2</sup> Stankes (estankes), dams of water, kidels, were weirs fitted with nets ; they were prohibited by the Magna Charter all over England.

## Revolt of Ralph Count of Eu

XXVI. "*Item*, it was there (at Hastings) ordained that one sort of custome should be taken throughout all the kingdom of England upon the water, and the admirals and their lieutenants were thereon strictly charged that they should twice or thrice a yeare make strict inquiry thereof soe that noe alien merchant nor native be wronged upon the accompt of the customes. And that Toillage (Tallagium—from which the Cinque Ports were exempt) should not be paid through the coast of England, but anchorage, and that for a ship of above fifty tons, fourpence. And if it be of a lesser burden than fifty tons it shall pay but twopence." (No. E 35.)

(Article 36 with the Penalty.)

"Let inquisition be made in the case of the harbour masters or water bailiffs who claim or establish new customs for their own advantage or that of their lords, whereby ships and merchants desert ports and places of such sort with their merchandize, to the loss and harm of the State.

"The Penalty, the master or bailiffs, if they are indicted on this charge and convicted by twelve, shall have imprisonment for half a year, and nevertheless shall pay a fine to our Lord the King, the value of the amount received, if the amount received be converted to his own use. But if it has passed to the use of the lords of the harbour masters or bailiffs, they shall undergo the half year's imprisonment, as aforesaid, and their lords shall be answerable to our Lord the King for the amount of the fine. And Mark that merchants may under pressure of necessity sell, for their expences, parcels of merchandize without any claim or demand of customs from them under the ordinance of John first King of England at Hastings. If any harbourmasters or bailiffs shall act contrary to this ordinance, they shall have imprisonment for half a year, and are to be suspended from their office for ever."

At this time, Ralph, Count of Eu, was in England. John probably anticipated his desertion from his fealty, owing to the wrong done to his brother Hugh, rendered all the more villainous by the fact that Hugh had assisted the King in his early troubles. The King therefore addressed secret writs (dated Clipstone, March 9th, *Rot. Chart.* 1201) giving notice, that his lieutenants had permission to do what harm they could to Ralph, Count of Eu, in the war which was to commence at Easter; and on the same day letters were addressed to the Burgesses of Eu, and the inhabitants of the County of Eu, and the men of Driencourt, and to all who dwell in the Castlery of Driencourt, commanding them to give credence to the King's envoy.

*2 John. Membrane 12 dorso.*

John by the grace of God etc. to all people of Driencourt and of the castellany of Driencourt, etc. We command you to have faith in our beloved and faithful William de Kaev (? Caen) as regards what he shall say to you on our behalf as to coming to us and to our service, and giving security to us; and we will approve and ratify the security he will arrange with you. Witness myself at Clipestone the 6th day of March, 1200-1.

The same William has letters to all people of Eu and of the county of Eu, in the same form.

*2 John. Membrane 12, dorso.*

John by the grace of God to all to whom this present writing shall come greeting. We have granted that our beloved and faithful Hugh de Bailliol' may do all the harm he can to Hugh de Exold count of Eu, in the war beginning at the close of Easter in the second year of our reign; and we will not constrain him to make payment or satisfaction to the said Count for anything which he shall have taken from him in the said war. Witness myself at Clipeston 6 day of March, 1200-1.

Thomas de St. Valery has letters under the same form to the same count.

*2 John. Membrane 8, in dorso.*

The King etc. to all etc. Know ye that we have commanded and willed to be taken to our use, the woods, stock, and all the chattels of the count of Eu in England. Wherefore we command you that we will ratify and confirm the sale which our beloved Robert de Turnham or his certain bailiffs which he has put in his place for this purpose, shall have made of the woods stock and other chattels of the said count, and we will warrant this sale to them. Witness myself at Westminster the first day of April (1201).



## His Forfeiture of the Rape

On March 19th, 1201, the King wrote to the Seneschals of Normandy and Poitou to seize the lands of all who refused immediate submission. Driencourt Castle was besieged and taken, and the men of Eu were warned that "Count Ralph defied us on Sunday last; not for our fault, but through his own pride. Wherefore we bid you to do all the evil ye can to him and his, and receive in your town those whom we shall send." The Knight sent for this service was John of Eu, uncle of the Countess Alice, and the last surviving male descendant of the Counts of Eu, who had no sympathy with the Lusignans and remained faithful to John. It was falsely rumoured that the Countess Alice was dead, and the King at once informed the men of Eu of her death, commanding them to receive John of Eu (the uncle) as the rightful hereditary Count (*Pat. Roll*, 1 April, 1202).

King John left for Normandy in 1201, with the view of quelling the disturbances caused by the Lusignans which had arisen on the frontier. At that time he was at peace with Philip of France, but Hugh de Lusignan succeeded in stirring up the French King against John. Arthur took advantage of the occasion to raise an insurrection, but was captured by John at Mirabel on July 31st, 1202. He was kept in confinement for nearly a year, but was never heard of after April 3rd, 1203, it being said that John had caused him to be put to death. John being twice summoned by King Philip Augustus as suzerain, first on the charge of the Lusignans, and secondly on a charge by the Barons of Brittany for the murder of Arthur, refused to attend in either case, and was thereupon declared by the French King to have forfeited his fief of Normandy, which he held, and had done homage

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### 1201-2. *Sussex. Pipe Roll*, 3 John.

The Rape of Hastings owes 20 marks of the third scutage.

The same owes 20 marks for the same

The Earl of Eu 62 li. 10s. of scutage.

### *Rotuli Normanniæ. 4 John, m. 8. Le Mans*, 7 Aug., 1202.

Land given. The king etc. to John de Preaux etc.

We command you that you cause John de Eu to have the land of the Count of Eu in your bailiwick. Witness myself at Cenom' the seventh day of August.

[Cenom' is *Cenomanensis civitas*, the city of Le Mans.]

### *Rotuli de Oblatis.*

The King etc. to W. Treasurer and Barons of the Exchequer etc. Know ye that we have commanded the sheriff of Sussex that he have at our Exchequer of Westminster on Sunday next before the Ascension of the Lord 40 pounds of the first scutage imposed after the death of King Richard our brother which the same sheriff received from the land of the Count of Eu after it was seized into our hand and which he has not yet rendered to our Exchequer and eleven marks of the amercements of Chichester and ten marks from fine of carucage and five marks which he received from the same land after that it was last seized into our hand. And therefore we command you that you do receive the aforesaid money as is aforesaid from the said sheriff which if he will not render do you distrain him by summons of the Exchequer to render that money. Witness myself at Clarendon the twelfth day of April, 1200-1.

And it is to be noted that it was inquired by the bailiff of Robert de Turnham that the sheriff of Sussex received all these and rendered nothing to the Exchequer.

### *Rotuli de Oblatis. Essex.*

Ralph Pirot gives 15 marks for the same (for having a writ of summons before the Justices at Westminster). He holds four knight's fees and for having seisin of his land whereof he was disseised on account of the Count of Eu if it should so be that he held of John of Eu on the day on which the said [John] last crossed into Normandy. 1201.

## The Rape Granted to John of Eu

for, under Philip. Proceeding to execute the sentence of his Court,<sup>1</sup> Philip quickly reduced Normandy.

John, being left almost without sympathy among the Baronage of Normandy, left that duchy to its fate in November, 1203, and retired into England. The death of his mother, Eleanor, on April 1st, 1204, completed the disaster, and about midsummer the whole of Normandy, Anjou, Maine, and Touraine had fallen into the hands of the French King (*Roger of Wendover*, 1204). In 1206 John made a determined attempt to regain the province of Poitou, and took the Castle of Montauban, but owing to certain ecclesiastical intercessions he concluded a two years' truce with Philip.

It will be seen from the extracts given from the Patent Rolls that John had seized the Rape of Hastings into his own hands, and had granted it (*inter alia*) to John of Eu, uncle of the Countess Alice of Eu.

*Rotuli de Liberate. Andelys, 28th Oct., 1201.*

The King, etc., to Geoffrey FitzPeter, etc. We command you that without delay you cause John of Eu to have the whole land which was of the Count of Eu in England, saving to us the woods and sale of woods and as quickly as you can make thereof our advantage by such means as you can. Witness myself at Andel (? les Andelys, now in the department of the Eure) the 28th day of October.

*Rotuli de Liberate. Orival, 17th April, 1202.*

The King, etc., to Geoffrey FitzPeter, etc. Know you that we have restored to John of Eu the county of Eu until you shall see a more evident and more rightful heir thereof. And therefore we command you that you cause him to have seisin of the forest which appertains to that county as he has of the plain-land, saving to us our timber which we have caused to be prepared for our use in that forest. Witness myself at Aurivall the seventeenth day of April.

By W. de Bodeham.

*Pipe Roll, 3 John.*

*Sudsexia.*

Of the third scutage (of Ric. I.).

The Count of Eu 62 li. and 10s. of scutage.

\* \* \* \* \*

The Rape of Hastings owes 20 marks as upon assize. The same owes 20 marks for the same.

*Surreia.*

Robert de Turneham—John Chaper for him renders account (*inter alia*) for carrying Anfrid seneschal of the Count of Eu to the King's prison as far as to Corfe 2½ marks by the same writ. And in livery of two approvers 6s. 8d. for forty days.

*Kent.*

Reginald de Cornhill renders account (*inter alia*) for timber for repairing the King's castles from the wood of the Count of Eu, to wit, of Dover of Rochester and of Southampton, and for carrying the aforesaid timber 12 li. 5s. 6d. by the same writ.

Hugh de Nevill owes 50 marks that the Count of Eu be distrained by his lands to render to him 100 marks which he owes to him, as he says. The same owes a third part of 700 marks for having right against those who owed them to Henry de Cornhill.

*Pipe Roll, 3 John.*

*Sudsexia.*

Of scutage of Knights.

The Count of Eu, 125 marks of scutage.

*Nova oblata.*

Amfrid (or Amfrey) de Dedne, who was Seneschal of the Count of Eu, owes 100 li. and two palfreys for having the grace and benevolence of the King.

<sup>1</sup> Philip had already seized the County of Eu after the default of John to the Lusignan appeal.



## Miscellaneous Orders by the King

*Charter Rolls, 6 John. Membrane 6. Charter of Master S. de Waltham. 7th Feb., 1204-5.*

John by the grace of God, etc., know ye that we by the intuition of God have granted, and so much as to us of the patronage pertains have given, and by this our charter have confirmed, to master Simon de Waltham our clerk, the church of Saint Margaret in Hastings with all its appurtenances and liberties, to have and to hold for his whole life in free pure and perpetual alms, as well and in peace free and quiet and entirely as others his predecessors ever held. Attested W. London. S. Sarum bishops G. FitzPeter, etc., W. count of March, W. earl of Salisbury, W. Briw[er]. Given by the hand of J. de Wells at Abingdon the 7th day of February, in the year, etc., the 6th.

*Patent Roll, 6 John, m. 15.*

The King, etc., to the Constable of Hastings, Greeting, Know you that we have restored to Manasserius de Winchilsea wholly his bailiwick of Winchilsea. And therefore we command you that you cause to have to him those things, having received fealty from him that he will faithfully serve us. Witness ourself at Westminster the 13th day of October.

By the justiciars.

*Rotuli de Oblatis et Finibus.*

Manasser de Winchilsea gives three tuns of wine for wholly having his bailiwick of Hastings. And it is commanded to the sheriff that he cause to have wholly to him that bailiwick.

*Patent Roll, 6 John, m. 6. 1204.*

The King etc. (to the Sheriff) of Sussex, etc. We command you that without delay you cause to have to Wandresil de Curtell the wardship of all the land which was of the Abbott of Fecamp of the Castle of Hastings to answer thereof to us and you cause to be known to us all things which shall be there found. Witness G. FitzPierre (FitzPeter) at Winchester, the 2nd day of October.

*Patent Roll, 6 John, m. 10. 1204-5.*

It is commanded to the Constable of Hastings that he cause to have to Robert Turnham such seisin of the land which was of John de St. Leger as he had when he passed over in the service of our lord the King and as he had when he was disseised thereof by his command, because he granted that land to Bizel de St. Leger.

*Patent Roll, 7 John, m. 22.*

The King etc. to the Constable of Hastings, etc., know ye that at the petition of Stephen de Turnham we have received the homage of Geoffrey, son of John de St. Leger for the land which he held of the fee of the Count of Eu which we have given to Robert de Turnham. And therefore we command you cause to have to him land in good peace. And that you permit not that any do him harm or grieve him thereof. Witness ourself at Wilton the 27th day of June.

Under the same form it is written to the steward of Hastings concerning the rape of Hastings.

*Patent Roll, 7 John, m. 18. 1205.*

The King to the Constable of Hastings, etc. We command you that without delay you cause to have to William de la Wike 10 marks extent of land of the land which was of Robert de Freavill in the rape of Hastings. Witness ourself at Havering the 7th day of August.

*Patent Roll, 7 John, m. 17.*

The King to the Constable of Hastings and the Bailiffs of Winchilsea, etc. We command you that you cause the ship of William son of Alan to be quit of impost and that without impediment or delay you permit it to depart as our justiciary his letters shall command you, and that you cause the bales which Geoffrey de Lucy took in the same ship and in the ship of William de Wika to be, etc. We delivered to certain messengers of the same Geoffrey. . . . We have commanded the bearers to carry these letters to you. Witness ourself at Craneburn (? Cranborne) the 17th day of August.

*Patent Roll, 7 John, m. 20. 1205-6.*

The King to G. FitzPeter, etc. We command you that you cause our beloved and faithful Robert de Turnham to have his scutage of the fee of a knight which he holds of the honour of the Count of Eu in the rape of Hastings, to wit, of scutage, 2 marks, etc.

# The Pope's Interdict

*Patent Roll, 7 John, m. 5.*

The King, etc., Greeting to the Bishop of Chichester, etc. Know ye that we by the prompting of God have granted and, as far as pertains to us, have given to Master S. de Walth, Clerk, our church of St. Andrews at Hastings with its appurtenances which we have heard to be vacant and to be in our gift. And by these present we beg of you to admit him and institute him therein.

Witness the King, Arundel, April 9th, 1206.

*M. 8. 1206.*

The King, etc., to S. Bishop of Chichester, etc., know ye that by divine intuition we have granted and as much as to us belongs have given to Master S. de Walth our clerk, the church of St. Andrew of Hastings with its appurtenances which we have heard is vacant and pertains to our gift, and we present him for it to you by our letters patent, asking to that end that you will admit him to it and institute him into it. Witness R. Earl of Chester at Arundell the 9th day of April.

*John. 1206.*

The King to all, etc. Know ye that we have given to John Reimund licence and sate conduct to come into England on account of the prebend of Hastings which he says is his, and to return, having given security where he arrived that on account of our ill will he would not come into England nor on account of other Kings than on account of that prebend. And this conduct shall last from St. John the Baptist's day for fifteen days in the eighth year, etc. And in witness whereof, etc. Witness the Earl G. FitzPeter at Winchester, 14 day of May.

*Patent Roll, John, m. 3. 1207.*

The King to the Bishop of Chichester, etc. Know ye that we by divine intuition have granted to Master Nicholas, Physician of our well beloved and faithful G. FitzPeter, the prebend (which was of John Reimund clerk) of the Count of Eu in Hastings, and therefore we command you that you cause him to have it. Witness ourself at York the 13th day of February by G. FitzPeter

In 1207 King John levied a tax throughout England of the thirteenth part of all movable and other goods, on the laity as well as on the ecclesiastics.

The death of Archbishop Hubert in July, 1205, robbed the King of one of his most discreet advisers, and the filling of the appointment led to his great dispute with the Papal See. Having set his mind on John, Bishop of Norwich, as the successor of Hubert, he was opposed by Innocent III., who induced the monks of Canterbury to elect the Cardinal Priest, Stephen Langton, notwithstanding the King's *cong   d'  lire* (1207). The King refused to accept Langton, though consecrated by the Pope, and threatened to stop again the track by sea of all going to Rome.

On March 23rd, 1208, John still remaining contumacious, the whole Kingdom was laid under an interdict by the Pope.

"All church services ceased to be performed in England, with the exception only of confession and the *viaticum* in cases of extremity, and the baptism of children; the bodies of the dead too were carried out of cities and towns, and buried in roads and ditches without prayers or the attendance of priests. What need I say more!" (*Roger of Wendover*, 1208).

The King retaliated by confiscating the property of the clergy:—

"The corn of the clergy was everywhere locked up and distrained for the benefit of the revenues; the concubines of the priests and clerks were taken by the King's servants, and compelled to ransom themselves at a great expense, and religious men and other persons ordained of any kind, when found travelling on the road, were dragged from their horses, robbed and basely ill-treated by the satellites of the King, and no one would do them justice" (*Roger of Wendover*, 1208, Prior of Belvoir).

In the ninth year of John's reign it was certified that Ralph, Count of Eu, held of the King in this Rape, 63 knights' fees by Grand Serjeanty (personal service



## Dispute as to Stewardship of the Rape

about the sovereign), fees which were then in the King's hands (*Testa de Nevill*, 9 *Reg. John*).<sup>1</sup>

A contention arose between Robert de Hastings and Simon de Ecchingham about this time as to the seneschal or stewardship of the Honour of the Count in the Rape of Hastings. William de Hastings married Ida, the youngest child of John, late Count of Eu. Robert, his son, claimed in 1207 that the office of steward (seneschal) of the Honour of the Count of Eu had been granted to his father William by John,<sup>2</sup> Count of Eu, in frank-marriage with his daughter Ida. A jury was summoned before the King's justices at Westminster to determine between them. The jury found the office to belong of right to Simon de Ecchingham. This fact and other curious particulars are stated in an Inquisition on Escheat, taken in the thirteenth year of John's reign (see *post*).

<sup>1</sup> *Testa de Nevill* (No. 20). 1207-8. *Verdict of Boseham*.

In the rape of Hastings the Count of Eu held of our Lord the King 63 knight's fees by serjeanty, and they are in the hands of the lord the King. (9 *Reg. John*.)

<sup>2</sup> "9 *John*, m. 13 (*De oblatis et Finibus*), 1207. Robert de Hastings gives 20 marks, so that 12 lawful knights of the Rape of Hastings, who may the better know the truth of the matter, and shall not wish to bear him hatred, or love, and who shall not be men or tenants of Robert de Hastings or of Simon de Echingelia, and connected with neither of them, that they be before the justices of our Lord the King at Westminster, from the day of St. John the Baptist, within three weeks prepared to worthily acknowledge in the Exchequer, whether the aforesaid, to wit, Robert or Simon, have the better right in the stewardship of the Honour of the Count of Eu, in the Rape of Hastings; and if William, father of the aforesaid Robert, was seised in his demesne as of fee of the aforesaid stewardship on the day on which he died, as of free marriage with his wife Ida, daughter of S., Count of Eu.

"*De oblatis et Finibus*, 9 *John*, m. 5 (1208). The barons, knights, free tenants, and all tenants of the Rape of Hastings, give 60 marks, that they and their heirs may be quit for ever from suits and summonses, pleas of the forest, and from all things which to suits and pleas pertain, as is contained in the charter of the Lord the King which they have.

"*De oblatis et Finibus*, 1 *John*, m. 8 (1200). Thomas de Wilardeby and Robert de Waton give to our Lord the King 100 marks sterling, that he do justice to James Pache, Sperling de Hastings, Godfrey, son of Legard de Winchilnese, Gervase, son of Swannild, Roscelin Ranuff, Henry de London, Richard Not', William, son of Wlwin, Simon Wistelgray, William Beaufiz of Rye, Richard Sliper, Hugh Flemmeng, Herbert Lessemare, and Elfag, fellow of the same Herbert. And it is commanded to the Constable of Hastings that he summon the aforesaid that they come before Reginald de Cornhull, John de Gestling and William de Wrotham at the day . . . cause them to know to answer the aforesaid Thomas de Wilardeby and Robert de Waton, merchants. And this fine is inrolled in the roll. . . ."

1208, 10 *John*, m. 3. "The King to the officials of the bishopric of Chichester, etc. Know ye that we have granted, and as much as to us pertains, have given to Master Nicholas de Bathon' the prebend of Hyherste, which prebend is of the church of the 'Blessed Mary of Hasting,' and vacant, and belongs to our gift by reason of the Honour of Eu, being in our hands, with all its appurtenances, and therefore we command you, as much as to you belongs, that you put him in corporal possession of the same prebend, without delay. Witness ourself at Craneburn (? Cranborne), this 19th day of November."

9th *John*, membrane 4. *The Charter of the men of the Rape of Hastings*.

John by the grace of God, etc., know ye that we have granted and by this our charter confirmed to the barons, knights, and free tenants and all men of the rape of Hastings, that they and their heirs may be quit perpetually from suits and summons of pleas of the forest and from all matters to which suits of pleas of the forest pertain. Wherefore we well and firmly command that they and their heirs shall have and hold the aforesaid quittance of us and our heirs for ever, well and in peace, without all vexation, annoyance, and contradiction. Tested by the lord J. bishop of Norwich, G. fitz Peter earl of Essex, W. Briw[er] Gar fitz Ger., H. de Neville, Geoffrey de Neville chamberlain, Richard de Reveriis. Given by the hand of H. de Wells archdeacon of Wells at Selston the 5th day of November, in the year of our reign the 9th.

## Inquisition as to the Rape, 1211

After the interdict had lasted two years, and as John still continued to persecute the clergy and some of the laity, Pope Innocent excommunicated the King "by name." What little effect these decrees of the Pope had upon John seemed but to goad him into persecution of the clergy. In the summer of 1210 he led an army into Ireland, and exacted homage from most of the chiefs. In the autumn he returned to England, and extorted fines from the clergy, which are said to have amounted to over £100,000 sterling (*R. of Wend.*, 1211). The following summer he subdued the greater part of Wales. Shortly afterwards he received two legates from the Pope—namely, Pandulph, Cardinal of the Apostolic See, and Durand, a brother of the Knights of the Temple, who endeavoured to restore peace between the King and the priesthood. John willingly granted leave for the Archbishop and the monks and the proscribed bishops to return to their homes in peace, but refused to restore the confiscated property. The legates therefore returned disappointed to the place whence they came. The King then levied a tax, on the knights who had not been with his army in Wales, of two silver marks for each scutcheon. About this time an Inquisition was taken on the Escheat to the Crown of the Rape. The jurors returned that in—

The Honour of the Count of Eu (1211-1212), William de Kaynes holds 3 fees, Robert Peverel 2 parts, Robert Burnard a third, Geoffrey de St. Leger of Wertlinges, 5 fees and a half and in Crotleslega, 2 knights: Gilbert de Balliol 3 knights, Peter de Scoteny 9 knights, and he ought to be the standard-bearer of the Count at the cost of the Count, and to find one knight to be without the Rape: Robert de Hastings, 7 knights, Geoffrey de St. Leger, 3 knights and a half in Ferlega: William de Moyun, 3, by the service of two knights. Bodyham 4: Waleran de Hust (Hurst), 2 knights and a half: William de Warbytone, 2 knights and a half: Esseburneham 2 knights: Auker de Freskeville, 1 knight: William de Cuchenore, 1 knight: William de la Wyke, 1 knight: Simon de Wygeshulle 1 knight: Simon de Echingham 7 knights, and he ought as he says to be steward of the Count in the Rape of Hastings, and gives to the Count 100s. or finds a knight within the Rape.

See that these men aforesaid do ward of the castle of Hastings in every month, by 15 knights, and make the bridges of the castle, and do no service without the Rape, unless at the cost of the Count.

The Abbot of Robertsbridge, 2 parts and a fourth of Sedelescumbe, and the land of Fodelindene, of Peter de Scoteny, in free alms, as he says.

The New Feoffment of the same Honour (fol. 159); namely—

Hurste, one knight and a half: Robert de Crevequer, one knight: Stephen de Criolle, one knight: William de la Wyke, one knight: Joyce de Maufe, half: Robertus de Olintone, half: These who are enfeoffed of the demesne, do no ward.

### *The Serjeanty.*

Hugh de Peplesham Crokham, by the service of finding a ship for carrying over the Count and Countess, and so there is given to him one robe.

Ralph the Forester, 30 acres, by the serjeanty of the forest.

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### 14 John, membrane 6.

John by the grace of God, etc., know ye that we by the intuition of God have given and granted so much as to us as patron pertains, and by this our charter confirmed to Daniel fitz Richard our clerk, the church of Bulewarheth with the appurtenances which is a prebend of Hastings and is of our gift by reason of the land of the count of Eu which is in our hand, to have and to hold for the whole term of his life in free pure and perpetual alms, as freely quietly and entirely as others his predecessors ever held. Tested by the lord P. Winton, bishop, William Briwerr, William de Ely our treasurer, William Archdeacon of Huntingdon, master Robert de Gloucester, Thomas de Neville archdeacon of Salop, Geoffrey de Norwich, master Benedict de Rames, Robert Maudut. Given by the hand of Richard de Marsh archdeacon of Northumberland, at Westminster the 24th day of June in the year of our reign the 14th. By writ of privy seal.



## The Ward of the Castle

Robert de Barroches, 2 virgates, by one setter and 2 greyhounds, at the summons of the Count.

Richard, son of Ely, half a virgate, and he gives for scutage of one mark, 5*d*.

William de Burhes, half a hide, and he gives for a mark of scutage 6*d*.

Walter Francis, 6 acres, by the serjeanty of doing summonses throughout the Rape of Hastings.

Harold le Velu, 16 acres, by the service of collecting the halmote of Burhes, and while the Count shall be in the town, he shall dwell in the house and shall do what may be commanded of him. (From the *Red Book of the Exchequer*.)

The following Inquisition of the same date, printed in the appendix to the *Red Book of the Exchequer*, differs in a few particulars from the foregoing Inquisition :—

*Inquisition in the Appendix (a. No. 59), 13 John, 1211-12. Ward of the Castle of Hastings.*

William de Kaynes, 3 knights : Robert Burnard a third part : Robert Peverel 2 parts : Geoffrey de St. Leger of Wertlinges, 5 fees and a half, and in Crotleslega 2 fees of the Honour of Eu : Gilbert de Baocis (Bayeux—? Bayliol) 3 fees : Simon de Egingeham (Echingham) 7 knights' fees of the same : Peter de Scoteny 9 knights of the same. Robert de Hastings 7 knights : Geoffrey de St. Leger in Fernlega 3 knights and a half, of the same : William de Moyun 3 knights of the same, but he defends by 2 knights, Bodiham 4 fees : Waleran de Hurst, 2 knights and a half : William de Warburton, 2 knights and a half : Esseburnham 2 knights : Augerus de Freskenville 1 knight : William de Cuchenovere 1 knight : William de la Wike, 1 knight : Simon de Wygeshulle 1 knight : All these do ward of the Castle of Hastings.

The monks of Robertsbridge, 2 parts, and a quarter of the fee of Sedelscumbe.

The Abbot of Robertsbridge, of the land of Fodilande, value 30 shillings.

In 1212, a fresh outbreak compelled the King again to march into Wales; but on the way thither, at Nottingham, he received a warning from the King of Scotland of treachery among his nobles. He accordingly took from those he suspected some of their relations as hostages.

From Nottingham he wrote as follows :—*Close Rolls*, 14 *John*, m. 3, 1212. The King to W. the treasurer and G. and R. chamberlains etc. (*inter alia*), and to William Earl of Salisbury, 25 marks of the 500 marks which he received by the year for the custody of Dover and of Hastings of which he had in the Vigil of the Assumption of the Blessed Mary in our chamber at Nottingham, 10 marks.

In the same year Archbishop Langton and the Bishops of London and Ely went to Rome and implored the Pope to assist the Church of England, then "labouring in its last extremity." The Pope therefore "definitely decreed that John, King of England, should be deposed from the throne of that kingdom," and wrote to Philip, King of France, ordering him, in remission of all his faults, to invade England, declaring that after the deposition of John, Philip should possess the kingdom for himself and his heirs for ever. He also organized a crusade in various countries to dethrone John, promising to those who joined or sent money the usual protection and absolution, as customary in the crusades to the Holy Land. At the same time the Pope secretly instructed his legate Pandulf, in the event of repentance, to accept a simple form of peace from John which he dictated to the legate.

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1212. 14 *John*, m. 5. Daniel son of Richard the clerk has letters patent of the lord the king, of presentation to the church of Bulewareheth with the appurtenances, which is a prebend of Hastings, and which is vacant, and belongs to the gift of the lord the King by reason of the land of the Count of Eu, which is in the hand of the lord the King, and letters are directed to the officials of the bishopric of Chichester. Witness the lord P. bishop of Winchester at Westminster the 24th day of June. By writ of privy seal.

## Early Presentations and Appointments

In January, 1213, the papal decree was formally made known on the Continent, by the Primate and the two bishops above-mentioned. Philip ordered his forces to assemble by Easter at Rouen, and fitted out and provisioned his ships. John made similar preparations (for the order issued to the Bailiffs of the Ports and the Sheriffs, see *Roger of Wendover*), and summoned his liegemen under the old threat of "Nithing," which had so frequently brought the English fyrd together in the days of the Saxon rule. John, Bishop of Norwich, the King's archbishop-elect, joined him with 500 knights from Ireland; and when the Royal forces mustered on Barham Down they stood 60,000 strong, and heavily armed.

The sailors throughout John's reign seem to have been generally loyal to him, as in fact they have almost ever been to the sovereigns of England, good or bad. The English fleet outnumbered the French, whereupon the King wisely determined to fight the first battle at sea, and drive the enemy back to the shelter of his own harbours. At this critical time two Templars landed at Dover, and begged John to receive the legate Pandulph, for the purpose of arranging terms of peace. He consented to see Pandulph, and on May 13th, he and his barons agreed to a fair form of peace, by which the prelates were to be allowed to return, and their property was to be restored. Two days afterwards, at the house of the two Templars at Dover, John resigned his crown, symbolic of his sovereignty over England and Ireland, into the hands of Pandulph, as the Pope's representative, consenting to do homage and allegiance for his kingdom as the Pope's vassal.<sup>1</sup>

<sup>1</sup> For the charters confirming these, see *Roger of Wendover*, 1213.

The following examples will illustrate the mode of appointment to the prebends of Hastings in the time of King John:—

*Patent Roll.* 15 *John*, m. 7. 1213. William de Wrotham, Archdeacon of Taunton has letters patent of our lord the King for the prebend (? West Thurrock) in the church of Hasting, which was of Osbert of Eu, with all its appurtenances, which is void and belongs to the gift of our lord the King, by reason of the Honour of the Count of Eu being in his hands. And it is commanded to the Dean [Caput] of Hastings, that he induct him in full possession of the stall of that prebend, etc. At Monmouth, 29th November.

*Patent Roll.* 15 *John*. 1213. William de Wrotham, archdeacon of Taunton, has letters patent of the lord the King of presentation to the prebend with its appurtenances which was of Osbert of Eu in the church of Hasting which is vacant and belongs to the gift of the lord the King by reason of the honour of the Count of Eu being in the hand of the lord the King, and because that prebend is said to be in the diocese of the Bishop of London the said William is presented to the lord Bishop of London, for the said prebend. At Monmouth, the 30th day of November.

N.B.—This probably relates to the church of Thurrock, Essex.

The following orders belong to this period:—

*Patent Rolls.* 15 *John*, m. 6. December 13th, 1213. The King to all knights and free tenants of the Rape of Hastings, etc. Know ye that we have committed to Walter Scot, Alexander de Norwic' and William de Fareg' our Castle of Hastings to be kept for as long as it shall please us: and therefore we command you that you be attendant to them as our bailiffs, and in witness whereof etc. we send you etc. Witness myself at the Tower of London, on the 13th day of December, in the 15th year of our reign.

*Patent Roll.* 15 *John*, m. 6. 1213. The King to W. Briwerr, etc. Know ye that we have committed to our barons of the Cinque Ports the Castle of Hastings, to be held so long as it shall please us. And therefore we command you that you deliver that Castle to them as Walter Mauclerc (Is this one of the murderers of T. à Becket?) shall tell you on our behalf. And in witness of these things etc. we have sent etc. Witness myself at the Tower of London the 23rd day of (? probably December).

*Patent Roll.* 15 *John*, m. 5. 1214. The King to William Briwerr and Alan de Bocland, etc. Know ye that we have committed to Walter le Scot, and Alexander de Norwich, and William



## General Disaffection

Pandulph, returning through France, endeavoured to persuade the bishops to go back to their sees, and advised Philip to desist from his preparations for the invasion of England. Philip, who was naturally much enraged at the settlement, having spent large sums of money in the equipment of his fleet, and in the accumulation of supplies and arms, complained bitterly to Pandulph. Indeed, he would have prosecuted the invasion, had not the Count of Flanders refused to follow him, saying that the French king unjustly held and detained some of his (the Count's) lands and castles. Philip, still further incensed at this accusation, invaded Flanders, laying waste the country as he went, and ordered his fleet to leave the mouth of the Seine, and go towards Swine, a port in Flanders. The Count now implored the help of John, who therefore sent his fleet in turn to Swine. On its arrival there, it was found that the French fleet lay inadequately defended, since many of the French troops were ravaging the land. The English seized the opportunity to destroy or capture the whole of the French fleet at Damme (August (?) 1213, *Roger of Wendover*). Philip, on receiving the news of this naval disaster, retreated precipitately from Flanders. John immediately disbanded his army, which had mustered at the coast, and sent a large sum of money to help the Count of Flanders to follow up the naval victory by an attack on France. Moreover, the English king prepared an army at Portsmouth, planning the recovery of his lost possessions in France. The English nobles, however, refused to follow John, until his sentence of excommunication was removed. Accordingly, the King sent word to the bishops in exile, with warrants of twenty-four barons to lay aside all fear and return to England (Battle, June 13, 1213). The Archbishop and bishops returned on July 16th, 1213, and the King received absolution amid great rejoicings. On John's return to Portsmouth, an immense number of knights complained that during their enforced idleness there they had spent all their available money and that unless they were supplied from the Treasury, they could not follow the King. The northern lords also pleaded that their tenure did not compel them to serve abroad; and subsequently they went home, deserting the King, who then embarked in a fit of desperation, and landed alone in Guernsey. Returning to England and enraged at his desertion, John marched to take vengeance on the Norman barons, but was dissuaded, partly by the Archbishop and partly by the hopelessness of the enterprise. At this time the Constable of the Castle of Hastings seems either to have been very remiss or disaffected, and to have excited the ire of the Justiciar, as the following orders will show:—

*Close Rolls.* 16 *John, m.* 6, 1214-15. P. (Pandulph) by the grace of God Bishop of Winchester to the Constable of Hastings and his fellows greeting. You are to cause the timber of our lord the King which is at Hastings, to be carried to Dover for the work of the Castle of Dover. And it shall be accounted to you at the Exchequer. Witness, etc. Memorandum, to wit that they are summoned that they be at Westminster on the morrow of St. John the Baptist, to shew wherefore they have not executed the command of the Lord Justiciar.

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de Farleg, our barons of the Port of Hastings, our Castle of Hastings with all its appurtenances to be kept so long as it shall please us. And therefore we command you that without delay you deliver to the same Walter, Alexander, and William, the aforesaid castle with all its appurtenances. And in witness of these things etc. Witness the King at Ospreng, the 10th day of January.

*Patent Roll.* 15, *John, m.* 5. 1214. It is commanded to William Briwer, that he deliver to Walter Scot, Alexander de Norwic' and William de Farleg' or to one or two of them, that Castle of Hastings, to be kept so long as it shall please the lord the King. And in witness of these things etc. Witness ourself at Southampton the 17th day of January.

## The Rape Restored to Count Ralph

*Close Rolls.* 16 *John*, m. 5, 1214-15. P. by the grace of God Bishop of Winchester, to the bailiffs of the port of Hastings, Greeting. We command you that if the Constable of Hastings and his fellows shall not have carried the timber of our lord the King, which is at Hastings, to Dover, as elsewhere we have commanded them (M. 6. P. III.), then without delay you cause it to be carried to Dover. And it shall be accounted to you at the Exchequer. Witness, etc.

Early in 1214, King John with a large army landed at La Rochelle, with the view of regaining Poitou. Several barons of Poitiers came and swore fealty to John, and succeeded in reducing many castles belonging to his enemies. A letter which he wrote to his justiciaries of the Treasury, referring to the Count of Eu (Augi), is specially interesting, since it shows by what means Ralph, Count of Eu, was reconciled to John, and was again restored to his Honour of Hastings.

John by the grace of God, etc. Be it known to you that when the truce was at an end which we had granted to the Counts of La Marche and Augi (Eu) and as we found them not disposed to make a peace suitable to us, we on the Friday next preceding Whitsuntide, crossed with our army to Miervant, a castle belonging to Geoffrey de Lusignan; and although many might not believe that it could be taken by assault, we, on the day after, which was on the eve of Whitsuntide, took it by force after one assault, which lasted from early in the morning till one o'clock. On Whitsunday we laid siege to another castle of this same Geoffrey, called Novent, in which Geoffrey with his two sons had shut themselves; and when after repeated discharges from our petraries (catapults throwing large stones, often specially quarried and rounded for the purpose by the king's quarrymen),<sup>1</sup> for three days, a fitting opportunity for taking the aforesaid castle was approaching, the Count de la Marche came to us, bringing it about that the said Geoffrey threw himself on our mercy, together with his two sons, his castle, and everything in it. Whilst we were still there, news was brought to us that Louis, son of the king of France, had laid siege to a castle belonging to the same Geoffrey, called 'Muneuntur:' on hearing this, we immediately turned in that direction to meet him, so that on the day of the Holy Trinity we were at Parthenay, and there the Counts de la Marche and Augi (Eu) came to us with the aforesaid Geoffrey de Lusignan, and did homage, and swore fealty to us.

And, because we had formerly treated with the Count de la Marche as to giving our daughter in marriage to his son, we granted that favour to him, although the King of France had requested her for his son, but with treacherous designs; for we remembered our niece who was married to Louis, son of that monarch, and the result of that affair; and may God grant us more success in this marriage than in the former one! Now by the grace of God, an opportunity is afforded us of attacking our mortal enemy the King of France beyond Poitou. And we inform you thereof that you may rejoice at our success. Witness ourself at Parthenay, in the sixteenth year of our reign (May 23rd, Trinity Sunday, 1214).—*Roger of Wendover*, 1214. The treaty or concord itself is fully set out in the Charter Rolls, 16 John, Part I. memb. 11.

By this treaty John guaranteed to Ralph, Count of Eu, the whole inheritance which his wife (the Countess Alice) ever possessed or was entitled to possess in England, which gave him more than he had lost in 1202; for he obtained the Honour of Tickhill as well as the Honour and Rape of Hastings (Count John of Eu had only held Tickhill for a short time in the reign of Stephen.—*Plac. Abb. Roll*, p. 24). As to the County of Eu, and other lands in Normandy, which the French king had taken, John engaged to deposit out of his own revenues in the hands of the Knights Templars, in trust for the Count, as much as the land was yearly worth at an estimation, until such times as the King should recover the county with the help of the Counts of La Marche and Eu.<sup>2</sup>

<sup>1</sup> There is a quarry at Highhurst Wood, Buxted, Sussex, where similar large stone balls occur in the sandstone in a natural state, and are sometimes 3 feet in diameter.

<sup>2</sup> *Patent Roll*, 16 *John*, m. 17. 1214. It is made known to the knights and freemen and all others of the Rape of Hastings that our lord the King has restored to R., Count of Eu, the honour of Tikehull with the castle and with its appurtenances, the right, that is to say of Alice



## An Order from Runnymede

Marching into Brittany and through Normandy, John's troops were finally defeated by the French, at Bouvines, on July 27th, 1214, and he was compelled to conclude at Chinon a truce for five years with Philip. Ralph of Eu fought on the side of John at Bouvines (*Rot. Pat. et Claus. passim*), in consequence of which he was adjudged by the King of France to have forfeited his fief in Normandy. John, however, recompensed him by undertaking to pay to the Knights of the Temple 6,000 livres of Tournai per annum for every year the County of Eu was detained from him.<sup>1</sup>

Returning to England in October, 1214, he attempted to levy a scutage, which was refused by the barons. They shortly afterwards held a conference at Bury St. Edmunds, formed a confederacy, raised an army and entered London on May 24th, 1215. John, finding himself deserted by his court and household, finally met the barons at Runnymede, and signed the Great Charter of Liberties on June 15th, 1215.

*Patent Roll, 17 John, m. 31 (1215).* The King to the Constable of Hastings, Greeting. We command you that without delay you cause to be enquired by good men of Winchelsea whether the wines of Aucera (? Auxerre) which are stayed at Winchelsea, belong to the merchants of Rouen, or the merchants of London: and if they belong to the merchants of Rouen, then you permit them to be had to the same merchants by plaint: and if they belong to the merchants of London, then you cause them to be well kept to our use. Witness ourself at Runnymede the 21st day of June.

In August the country still remaining unsettled, a papal letter was laid before the prelates at their meeting at Oxford, charging the Archbishop to excommunicate

his wife, and that they be attendant and answering thereof to him as to their lord. Witness, etc. Parthenay, 26th May.

In this manner he writes to the knights and free tenants of the Honour of Tikehull. Witness the same. Dated the same, and similarly it is written in the same manner to the barons of the port of Hastings.

*Close Roll, 16 John, 1215, m. 17.* It is commanded to the Lord P. Bishop of Winchester, Justiciar of England, that he cause to have without delay to a certain messenger of the Count of Eu, full seisin to his use of the Rape of Hastings with the castle and all its appurtenances which our lord the King hath restored to him. Witness ourself at Parthenay the 26th day of May in the 16th year of our reign.

[There were two 26th days of May in this regnal year, John's regnal year being computed from Ascension Day to Ascension Day in each year.]

*Patent Roll, m. 2. 16 John, 1215.* The King to the Sheriff of Sussex Greeting. Know you that William de Bodiham made fine with us for his relief while the land which the Count of Eu had in your bailiwick, was in our hands. And therefore we command you that you permit him not to be distrained or vexed by the bailiffs of the said Count, especially that you permit him not to be distrained for the tallages which the knights of the Rape of Hastings should make for finding us four knights in Poitou, because the said William was in our service with us in Poitou in his person. And if anything of his shall be taken for this reason, you cause the same to be restored to him without delay. Witness at Waling' the 1st. day of May.

*Patent Roll, m. 22. dors. 16 John, 1214.* The King to Engel de Cygoine, etc. We send to you our beloved and faithful Thomas de Erdinton, and Henry de Ver, by whom we signify to you such things as we do not wish to be written, intending shortly to send to you by other messengers over the narrow seas. And we will that you hold sure that which they shall tell you on our behalf or the same Thomas alone, if the other is not able to be present concerning the keeping our castles and our body. Witness Montiniac', Monday the 16th day of August. (Among others), in the same manner it is written to the Constable of Hastings.

<sup>1</sup> The Count does not appear to have been much in England, but he sent his son Warine to be educated at Oxford. The King spent the Easter of 1215 at Oxford, and issued his writ (April 10th) to the Mayor and Bailiffs of Oxford, to refund to Warine of Eu 50 shillings expended for his maintenance up to Palm Sunday, and thenceforward to pay him a shilling a day while at Oxford.

## The Castle Prison

the King's enemies and disturbers of the peace, and on August 26th the letter was read to the baronial army. The barons conferred as to the election of a new King, and Pandulph excommunicated some of them by name.

"John shortly afterwards secretly fled from Windsor with a very small retinue to the Isle of Wight, whence he sent Pandulph to the Pope (his pseudo-feudal lord), to represent his case with the barons, and enlist his sympathy. He sent his few trusted officers abroad to raise mercenary troops, which he arranged should meet him at Dover at Michaelmas. He further sent letters to all the governors of his castles throughout England, ordering them one and all to furnish their castles with all kinds of provisions and arms, and to strengthen their garrisons with soldiers, so as to be able to defend them at a moment's notice" (*Rog. Wend.*, 1215).

A few months' delay had to be got over, and in the meantime he seems to have been anxious as to his personal safety.

"With a few followers whom he had begged from the retinue of the Bishop of Norwich, he took on himself the business of a pirate, and employed himself in gaining the goodwill of the sailors of the Cinque Ports; and thus hiding as it were in the open air, in the island, and near the seacoast, without any regal show, he for three months led a solitary life on the water and in the company of sailors, for he preferred to die rather than live long unrevengeed for the insults of the barons. All this time divers reports were circulated by different people concerning him; and by some he was said to have turned fisherman, by others a trader and a pirate, and by some he was said to have become an apostate; and after he had been, on account of his protracted absence, sought for by several without success, they believed that he had been drowned or had perished in some other way. The King however bore all these reports with equanimity, awaiting the expected arrival of his messengers, some of whom he had sent to the court of Rome, and others to raise troops to assist him" (*Rog. Wena.*, 1215).

To this period the following documents belong. The Constable of Hastings seems again to have been recalcitrant:—

17 *John*, m. 21. 1215. *Patent Roll*. Delivery of the prison. The King to the Constable of Hastings, Greeting.

*Close Roll*, 17 *John*, 1215. The King to the Constable of Hastings, Greeting. We command you that immediately upon having seen these letters, you deliver to our barons of Winchelsea Manasserius de Winchelsea whom you hold by force in the Castle of Hastings, and if you shall fail in anything he shall stand to right before us if any shall wish to speak against him. We will also that an offence done on either part shall be amended before us. Witness ourself at Windsor, June 21st.

We command you that under plevin of all the barons of the whole port of Hasting' you deliver from our prison Manassus de Wincheles' who is in your custody, so that the same barons shall have him rightly before us at our command. And in witness whereof we send you, etc. Witness ourself at Merleberge (Marlborough) the 2nd day of July in the 17th year of our reign.

*Close Roll*, 17 *John*, m. 22. The King to Edmund de Hastings and Thomas de Uplardeby, etc. We send to Winchelsea, Hastings, and Rye, our beloved and faithful Aubrey de Den, and Godfrey de Craucumb to keep the castle of Hastings and the towns of Winchelsea and Rye, and to keep those parts, and to hold the serjeants at our cost to secure those parts. And we command you that you have your roll and your writings witnessing the expenses which the said A. and G. shall be put to at their aforesaid doings, and that you be attendant to them. We have caused also these our letters to be sealed with our privy seal because we have not the great one with us. Witness ourself at Dover the 9th day of September (1215).

*Close Roll*, 17 *John*, m. 22. 1215. The King to his barons of Hastings, Greeting. We send to your parts Aubrey de Den' and Godfrey de Craucumb to keep the castle of Hastings and the towns of Winchelsea (and) of Rye, and to hold the serjeants in those parts at our expense. And we earnestly ask you that you be aiding and consenting and attendant for our faith, profit and honour, as much as to them belongs. Also you shall not doubt concerning strangers to you whom we shall so provide for you in counsel, in aid, in money, and concerning the serjeants and other things which pertain to your aid, profit, and solace, etc.

Same to barons of Winchelsea and Rye *circa* 9th Sept. 1215.

*Close Rolls*, 17 *John*, m. 22. It is commanded to Fulk de Breauton, that he send to Hastings



## The Knights of the Rape Treat for Peace

25 serjeants with habergeons, to dwell in that Castle, and 25 to Rye to dwell there with Godfrey de Craucumb, and that he cause them to be led by any such who know the way and those parts. Witness the King at Dover, the 28th day of September. To wit. To the same that he retain Tristram de Bolonia 11 serjeants and cause them to have their liveries by the same writ. And it is commanded to the above written Godfrey de Craucumb' and Anfrey de Den' that they receive the aforesaid serjeants as is afore written. Dover, September 28th, 1215.

17 *John, m. 2*, (1216). Haseulf Paynel has letters patent directed to the bailiffs and lawful men of Rumenal, Heth, Winchels', Hasting', Pevens', Seford, and of Shoreham that . . . of our lord the King, and that they will receive the lord Legate when he comes to them. At Romney, the 12th day of May in the 17th year of our reign. Under the privy seal.

The Pope formally annulled the Great Charter, whereupon the barons unanimously agreed to renounce their allegiance to John, and to invite Louis, the son of Philip of France, to accept the Crown of England. The papal see now stoutly maintained the cause of its "vassal" John against Philip, Louis and the barons, but without success. A storm on September 26th, 1215, destroyed a fleet which was said to convey 40,000 men, who had been brought together by Hugh de Boves, for the assistance of John. Notwithstanding this disaster, a large force collected at Dover, and was there joined by King John. Marching northward, he first of all captured Rochester Castle, on November 30th, 1215.<sup>1</sup>

He then continued his northward march as far as Berwick, ravaging the counties as he went in a manner which recalls the havoc wrought by the terrible marches of William the Conqueror and Rufus (see *Rog. Wend.*, 1215) In September, the Primate (Stephen Langton), who sided with the barons, had departed ostensibly for Rome, but it was suspected that he was bound on a secret mission to Philip and Louis. Pandulph suspended him from his archbishopric at the moment of embarkation, and without delay one of the newly appointed Constables of Hastings Castle, Geoffrey de Cwarcumbe, and Thomas Hardington, knight, were despatched to Rome as proxies of the King of England. They appeared before the Pope in council against the Archbishop, where they openly accused him of connivance with the barons. The Archbishop offered no defence, although present, and the order of suspension was confirmed against him by the Pope. Having accomplished their mission, the two knights returned to England, and hastening to the King's presence, informed him of the confirmation of the sentence of

<sup>1</sup> 17 *John, m. 14* (1215). The knights of the Rape of Hastings have letters of safe and secure conduct in coming to our lord the King to treat with him as to coming to his faithful peace and service, and while abiding and returning therefrom. And that conduct shall last from St. Luke the Evangelist's day to the four days following completed. Given at Rochester the 15th day of October, in the 17th year of our reign.

*Patent Roll*, 17 *John, m. 19* (1215). It is commanded to the Constable of Hastings that he cause to have to Nicholas Harmgod, the land which was of Robert de Abbevill, in Iclesham, which our lord the King gave to him. Witness ourself at Rochester the 18th day of October

17 *John, m. 13*. The King to G. de Craukumb, Constable of Hastings, and his barons of the five ports Greeting. We command you that you do that which our well-beloved and faithful Hugh de Foresta, the bearer of these presents, tells you for our convenience and honour. And in witness whereof we send you, etc. Witness ourself at Rochester the 6th day of November, in the 17th year of our reign.

*Patent Roll*, 17 *John, m. 16* (1215). The King to the Constable of Hastings, etc. We command you that you deliver Durardus, Eustace, Alelf, Roger Ely, Roger Andulfus, and Josceline, mariners of Boulogne, with their ship and their nets, which Roger de Loveny took, and that having received security from them, that they carry nothing with them as messengers whereof evil can come to us or our kingdom. Witness as the next above the 21st day of November, at Rochester.

## John Destroys the Castle of Hastings

excommunication of the barons and the suspension of Langton. At this news he was highly elated, and caused it to be published throughout the churches of England. Notwithstanding the entreaties of Walo, the Pope's legate, Louis insisted on accepting the invitation of the barons. Detachments of French troops had landed in Suffolk and London at the latter end of 1215 and early in 1216. In March of that year, John, returning southwards, took Colchester, and then went on to Dover. The Count of Eu was appointed on April 21st, 1216, as one of the commissioners to treat with the King of France for a truce.

On May 21st, Louis landed at Stonar in the Isle of Thanet, and marched upon Sandwich. John, who was then at Dover, appears to have mistrusted his army, and on the advice of William Marscal (3rd Earl of Pembroke), he retreated westwards before Louis (*Ann. Dunstable Priory*).

Roger of Wendover, 1216, says: "He was surrounded by foreign mercenaries and knights from the oversea provinces; he did not venture to attack Louis on his landing, lest in battle they might all leave him, and go over to the side of Louis; he therefore chose to retreat for a time, rather than give battle on an uncertainty." Leaving Dover in charge of Hubert de Burgh, he continued his flight till he reached Guildford, and went thence to Winchester.

As he passed over against Winchelsea in his retreat towards Winchester he was met by the legate Walo, who kissed the King. The legate had followed Louis to England with the view of excommunicating him. John, fearing lest they should fall into the enemy's hands, destroyed the Castles of Hastings and Pevensey<sup>1</sup> (*Chronicle of Dunstable*, 1216; see the account of the Military Architecture of the Castle, *post*).

Thus perished the Norman Castle on the rock at Hastings, that defence of the realm, by the hand of the very man who had thence proclaimed, but a few short years before, England's sovereignty over the seas!

Louis soon subdued most of the neighbouring towns, and thereafter made his entry into London, where he was welcomed by the barons. Marching again, southwards, he obtained possession of Kent and Sussex, with nearly all the towns and fortresses, except Dover Castle.

### A LETTER FROM THE KING TO THE BARONS OF HASTINGS, CHARGING THEM TO RETURN TO THEIR ALLEGIANCE UNTO HIM AND SERVICE.

*A.D. 1216. An. 18. Johannes. Pat. 18 John, m. 3.*

The King to the Barons of Hastings, Greeting. We charge and beg you to return to your allegiance and service notwithstanding the oath which you against your wills took to Louis, son of the King of France, knowing that, in consequence of that oath, we bear towards you no malice or anger, and that, if ever we did bear it, we remit it entirely: and we would have you know for certain that, if you will return to your allegiance, we shall show our regard for you and yours by favours and befitting rewards, and further so enrich you with liberties, as not only to preserve them unharmed, but enlarge them to the eternal glory of ourselves and you. Thus you shall be bound to give thanks always to us, and, by the examples of your reward and the enlargement of your liberties, others will the more readily return to our service. And in witness, etc., we send.

Witness the King himself, at Taynton, the 2nd of September. The Barons of Sandwich, Dover, Hythe, Romney, Winchelsea, Rye, Pevensey, Shoreham, and Portsmouth, received similar letters.

Similar letters to the men of Sussex, Kent, Surrey, and Southampton, dated 3rd September, Oxford.

<sup>1</sup> For orders as to the destruction of Pevensey, Knepp and Chichester Castles, see *Pat. Rolls*, 18 *John*.



# Death of King John

## THE KING COMMENDS THE LOYALTY OF THE MEN OF SEAFORD.

*A.D. 1216. An. 18 John. Pat. 18 John, m. 3.*

The King to the good men and true of Seaford, Greeting. We give you many thanks for that you have abided so faithfully and loyally by us, and have remained in allegiance to us, and although we did give to Gilbert of Aquila your lord his privileges we did not give them back to him that he should rebel against us or trouble us. And, moreover, as you have not wished to do anything for Gilbert or any of our enemies which might prove harmful to our Crown or dignity, we are much bounden to you, and we beg of you as you regard your honour and our own, that you take heed to continue to the end what you have so loyally and faithfully begun, knowing for certain that we shall reward your fidelity and constancy, by so many and so great rewards, and will take care that you shall be bound to us by everlasting gratitude on our part, and thus through the example of your remuneration and the amplification of your privileges, others will be the more ready and free to aspire to our service.

To which, etc.

Witness (the King) as above, Oxford. September 3rd.

A young man in Sussex of the name of William,<sup>1</sup> however, collected a band of a thousand bowmen, and refused to submit to Louis. They lived in the Wealden woods and inflicted upon the Dauphin a loss of many thousands of men, harassing him during the whole war. John, hard pressed by Louis, finally retired to Corfe in Purbeck, and when the French prince again attempted the capture of Dover Castle the King wandered away northwards once more, ravaging and devastating the midland towns of England which were unlucky enough to lie in his way. On September 2nd he was at Taynton, and so passed to Oxford on September 3rd, where the above-quoted documents were written. He passed thence to Lynn. After he had lost the greater part of his baggage and treasure, as the result of an attempt to cross the Wash from Norfolk to Lincolnshire, death terminated his miserable career somewhat suddenly at Newark on October 19th. He was buried at Worcester, near the resting-place of the old Saxon Bishop, St. Wulfstan.

<sup>1</sup> *Sic* Rog. Wendover.

## CHAPTER VIII

### HENRY III



HENRY, son of John, a child of nine years, was crowned on October 28th, 1216, in the presence of Walo, the Papal legate, the ceremony being performed by the Bishop of Winchester. A truce was arranged between Hubert de Burgh and Louis. William Marshal, Earl of Pembroke, was elected regent during the young King's minority. After Christmas, Henry's party met at Oxford (January, 1217), while Louis's partisans assembled at Cambridge. The truce having expired, Louis secured the castles of the eastern counties, but in March, by command of his father, he returned to France to consult as to an interdict threatened by the Pope, owing to the Prince's proceedings in England. Returning about April 20th, Louis found that his cause had commenced to decline, and that some of the barons had already deserted him. His campaign was virtually closed by the battle of Lincoln, where his troops were completely routed (May 20th, 1217).<sup>1</sup>

Louis took up his quarters in London, while he awaited reinforcements from France. On August 24th, Hubert de Burgh, Warden of the Cinque Ports, and Constable of Dover, with a comparatively small fleet, completely destroyed the French fleet off Dover on its way up the Channel towards London. The treaty of Lambeth between the King's party and Louis, coupled with a general amnesty in England, closed matters in September, and the Dauphin returned to France.<sup>2</sup>

<sup>1</sup> *Close Roll*, 1 *Henry III.* 1217. The King to the bailiffs of the Count of Eu of the Honour of Hastings, Greeting.

Know ye that we have granted to our beloved and faithful Thomas de Boudong' the wardship of the land and heir of John de Northie, with the marriage of the same heir. And therefore we command you that, without delay, you cause to have to him full seisin of all the lands which were of the aforesaid John in your bailiwick.

Witness as above, (that is to say, witness the Earl William Marescall' at Oxford the 23rd day of July).

<sup>2</sup> *Close Roll*, 1 *Henry III.* 1217. The sheriffs of Nottingham and Sussex are commanded to take care that the Count of Eu have full and peaceable possession of all his estates as he had before the war began between King John and the Barons.

*Close Roll*, 2 *Henry III. m.* 17. 1217. The King to all knights and free tenants of the Rape of Hastings, Greeting. We, enjoining, command you that you do to our beloved and faithful R. Count of Eu, all services which you ought and are accustomed to do to him, as keeping of the Castle of Hastings, and all other things. Witness W. Marescall' at Westminster the 4th day of November.

*Close Roll*, 2 *Henry III. m.* 8. 1217-18. The King to the Sheriff of Sussex, Greeting. We command you that you distrain the knights of your bailiwick who hold of the wards of the Count of Eu's Castle of Hastings, that they do for the said Count the wards which they ought to do for him. [Which matter did not proceed.]

*Pipe Rolls*, 2 *Henry III.* The Count of Eu owes 125 marks of 52½ of the fee of Hastings.

*Rotulus Finium*, 2 *Henry III.* 1218 (Huntingdon). Richard, son and heir of Simon, son of



## Death of Ralph, Count of Eu

A general pacification now obtained in England. The Great Charter was renewed, and so, too, the Charter of the Forest, removing the heavy load of oppression from all parts of the kingdom. Under the wise and popular rule of the Earl of Pembroke, the condition of the country quickly improved. He died, however, on May 14th, 1219, deeply regretted by the whole kingdom. Hubert de Burgh seems to have succeeded him in the administration. Early in May, 1219, Ralph de Issoudun, Count of Eu and Melle, in Poitou, died at his Castle of Melle. He was living on April 28th, as he addressed a writ to the Sheriff of Lincolnshire, respecting his manor of Greetwell (*Rot. Claus.*). He was buried with his ancestors in the Abbey of Foucarmont. By Charter dated at Melle, in Poitou, on May 17th, 1219, the Countess Alice of Eu, with the consent of her son Ralph, and her daughter Matilda, granted to the monks of Foucarmont the manor of Tuxford, in Notts, and all the tithes of her lands in England, and confirmed what had been given to them by her ancestors. The Abbot thereupon covenanted that for all time to come ten priests should be set apart in the Abbey, to offer daily the Holy Sacrifice for the soul of Ralph, Count of Eu, lately deceased, and for the salvation of the Countess and her kindred.<sup>1</sup>

Henry was crowned for the second time on May 17th, 1220. This was followed by an order of resumption of the royal demesne by which all the royal castles placed in the hands of the barons in John's time were to be given up to the King; and this was confirmed by Papal mandate. The Resumption led, however, to resistance on the part of some of the barons, and to no little bloodshed, sowing the seeds of Hubert de Burgh's unpopularity and temporary fall. William Marshal, junr., was in Ireland in 1223, and Llewellyn creating disturbances in Wales, an army was summoned to England by William.<sup>2</sup>

Intermittent rebellions, consequent on the order of resumption, continued

Richard, gives to our lord the King 5 marks for inquisition to be made by good and lawful men of the vicinage of Buckswurth if Simon son of Richard deraigned, in the court of the lord R. the King, uncle of our lord H. the now King, before the justices at Westminster, against the Count of Eu, and the Canons of Hastings, the advowson of the church of Buckswurth, and for holding that inquisition before the justices at Westminster, security is commanded, etc. Westminster, the 14th day of June.

<sup>1</sup> *May or June, 1219, 3 Henry III.* Godfrey Neville, Seneschal of Poitou and Gascony, writes to Henry III. that the Lord Hugh de Lusignan (brother-in-law of the King) is unjustly troubling to the best of his power, "your town of Niort." Neville threatens to start upon his journey to the Holy Land without any delay, "since we will no longer remain here to the loss and disgrace of you and ourselves; for the said Hugh has declared certainly to us that he will not cease troubling you, *unless you will consent to give him the land of the Count of Augy (Eu) in England.*"

*In a letter dated February or March, 1220, 4 Henry III.* "The Mayor and Commune of Niort report to Henry III. (incidentally) the death of (Ralph) Count of Eu (Augy) and others; they beg for the appointment of a governor of Poitou.

<sup>2</sup> 1220. Mandate to Prior of Belram, the Dean of Dalington and F. Canon of St. Mary's, Hastings, to sequestrate the fruits of the Church of Berkwey (*Papal Reg.* 5 Honorius II.).

*Close Roll, 7 Henry III. m. 7. 1223.* For Reginald de Bernevall. The King commands the bailiffs of the Countess of Eu de Hastings, Greeting, not to put in default Reginald de Bernevall who is in our service in Ireland by our command so that he is not now able to be present with our army which we have caused to be summoned at Worcester. Witness H. etc. at Wudestok (Woodstock), the 26th day of June.

*Close Roll, 8 Henry III. m. 14. 1223-4.* The King to E. the Treasurer, and F. and W. the Chamberlains, Greeting, etc. You are to deliver from our treasury to John of Canterbury, going

## Alice, Countess of Eu

until August, 1224. The greater part of this year was spent in making arrangements for an expedition to recover Poitou.

At the Christmas Court, Hubert de Burgh, the Justiciar, asked for a tax amounting to a fifteenth part of all movables, calculated to produce about 86,758 marks. This was granted on the King's agreeing to confirm the Great Charter. The expedition was under the command of Richard, the brother of Henry III., and his uncle, William of Salisbury. Gascony was won, but in November, 1226, a truce was arranged which eventually lasted for three years.

Alice, Countess of Eu, now a widow, was left with two sons and a daughter—namely, Ralph, her son and heir; Warine, already mentioned in these pages, a student at Oxford; and Matilda, who subsequently married Humphrey de Bohun, fifth Earl of Hereford and Essex, and through this marriage the Howards, and many other noble families, trace their descent from the Counts of Eu.

On the death of her husband, her rights to the County of Eu, which had been forfeited from her husband, revived, and she arranged with Philip Augustus of France for their restoration on certain conditions, the King reserving only those rights of justice and service which the Count of Eu owed to the Lord of Normandy. The Countess renounced all claim to Drincourt, Mortemer, and Arques, and the fief of Builli. The Countess also engaged not to wed except through the King, but he was not to force her into marriage; and she pledged herself not to erect fortresses beyond those existing already. The fine paid by her in four instalments was 15,000 marks of silver.

Immediately after this arrangement the Countess came to England, her great object being to recover the Honour of Tickhill, which was claimed by Robert de Vipont in the right of his wife Idona. It is not intended here to enter into the details of this dispute, which eventually terminated in the Countess Alice's favour.<sup>1</sup>

The following letter from William, Earl de Warrene, her uncle, to Hubert de Burgh, is interesting:—

To his most dear friend, Hubert de Burg, Justiciary of England, his in all things (*suus in omnibus*), William, Earl de Warrene, Greeting, and the fulness of entire love.

As I think you will be rejoiced at the arrival in England of the lady Countess of Eu, my niece, and your kinswoman (*comitisse Auge neptis nostre et cognate vestre*), I inform you that she is come here, and I and she (*ego et ipsa*) have already spoken with our lord the King, and he, readily and kindly receiving us, has appointed us a day within the Octave of the Nativity of the Blessed Virgin, wherever he may be. We affectionately implore therefore your love, on which we place the greatest possible reliance, that you would be present on the day appointed, because I believe that the affairs of our lord the King, and my own, will be brought to a happy and prosperous conclusion, by the intervention of your counsel and assistance. And this as you love us

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as our messenger to Sorham (Shoreham), Rye, Heya (Hythe), Hastings, Winchelsea, and Rumenes (Romney), eighteen pence.

*Close Roll, m. 5. 8 Henry III. 1224.* The King to his bailiffs of Hastings, Greeting. Command that the white wine or wine of Anjou, be not sold more than at 8*d.* nor red wine more than at 10*d.* Witness the King at Westminster, the 22nd day of May.

In the same manner it is written to Dover and other ports.

<sup>1</sup> For a good and clear description of this matter the reader should refer to the admirable paper by Mr. G. C. Waters, B.A., on the "Counts of Eu, sometime Lords of the Honour of Tickhill, Yorkshire" (*Yorkshire Arch. and Topogr. Journal*, 1886, vol. ix. p. 257, *et seq.*), also to the Rolls series of the *Letters of Henry III.*, xcii. to xcix., etc.



## Countess Alice delivers the Castle to Henry III

and the said Countess, both for the sake of our lord the King, and of ourselves on no account omit to do. Farewell.

(Appendix 11 to 5th Report of Dep. Keeper of P. Records. Latin MSS. 629, Record Office.)

After the close of the lawsuit the Countess remained in England three more years, when she obtained leave of the King of England to reside at Eu, and she seems thereafter to have seldom returned to this country. Before going, however, she was induced to enter into the following agreement, which is of great importance because the Castle thus coming into the hands of the King, was, as will be seen by the later history, never returned to the family of Eu, notwithstanding the terms of the agreement.

AGREEMENT MADE BETWEEN THE KING AND ALICE, COUNTESS OF EU, RESPECTING THE CASTLE OF HASTINGS BEFORE (IN THE PRESENCE OF) DIVERS NOBLES.

*A.D. 1225 An. 9 Henry III. Pat. 9 Henry III., p. 1, 11 d.*

Be it known unto all men that at Westminster, on the Vigil of the Ascension of our Lord, in the ninth year of the reign of the famous Lord Henry King of England, son of King John in the presence of my lord S. Archbishop of Canterbury, H. Lincoln, J. Bath, R. Salisbury (Sarum), R. Chichester, Bishops. Hugh de Burgh Justiciar of England, R. Earl of Chester and Lincoln: William Earl Marshal, Earl of Pembroke, G. Earl of Gloucester and Hereford, W. Earl Warren, Count W. de Mandeville and others, it was agreed between King Henry and A. Countess of Eu, concerning the Castle of Hastings, as follows:—

That the Countess has delivered to King Henry the Castle of Hastings to be held by him until peace be concluded with the King of France and his, or he may make a long truce with them, provided that he will then render up to the said Countess or her heir, if any heir be born of her, the aforementioned castle, if the Countess herself, or her heir if any be born of her, shall first pay to the King the sum of five hundred marks, if he shall have spent so much in strengthening the said castle while in his possession: if he has spent less than the said sum, a less amount, providing always that if the King has spent more than five hundred marks, the said Countess or heir shall not be bound to pay more than the five hundred.

Be it known that our lord the King or his constable of the said Castle will neither take nor cause to be taken anything from the soldiers, or freemen or tenants of the said Castle for the purpose of strengthening the Castle, so long as it shall be in his hands, according to the terms of the aforementioned surrender: saving to the Countess and her heir all the wards of the above Castle and rights and customs and privileges appertaining to the said Castle and its dues.

In testimony whereof the said Countess has set her seal to that portion of the document in writing which shall remain in the King's possession.

As witness the above-mentioned and others.

The following series of orders to the Constable and bailiffs of Hastings serve very well to illustrate the various duties which were committed to their charge. The documents relating to the fortification or strengthening of the Castle of Hastings are interesting, and receive particular attention in the remarks on the military architecture of the Castle (see *post*). We again have mention of the King's prison in the Castle of Hastings (see John 17, page 78).

*9 Hen. III. 1225, m. 17. Liberate.*

The King to E. the Treasurer and the Chamberlains, Greeting.

Deliver from our treasury to John de Atleya, £25 of this Easter term in the 9th year. Deliver also to Alexander de Bassenburn, 20 marks to fortify the Castle of Hastings. Witness the King at Westminster, the 13th day of April in the 9th year. Before the Justiciar and the Bishops of Bath and Salisbury.

*Close Roll, 9 Hen. III. m. 17, 1225.*

Command Hugh de Windlesor to stay any one attempting to carry corn across the sea and detain the corn. Witness the King at Westminster the 13th day of April.

In the same manner to the bailiffs of the ports of Hastings, Winchilsea, Rye, Pevensey,

## The Castle made Strong

Burewardneia (Bulverhythe). And it is assigned to them as to the above Alexander de Bassingburn, Constable of Hastings.

*Liberate. Ditto, 1225, m. 17.*

The King to E. the Treasurer and the Chamberlains, Greeting.

Deliver from our treasury to (in this Easter term in the 9th year, etc.) Alexander de Bassingburn, 20 marks for fortifying the castle of Hastings. Deliver also to the same Alexander, to the use of two crossbow-men, and six serjeants dwelling with the same Alexander in the same castle by our command, 16 marks, to wit, to each of them, 2 marks in part payment of their liveries. Witness the King at Westminster, the 15th day of April.

*C. R. 9 Hen. III. m. 17. Of fortifying the Castle of Hasting'.*

And it is commanded to William son of Robert, and Thomas de Willarb' that they receive those 20 marks from the aforesaid Alexander to do work at the same Castle, according as the same Alexander tells them on behalf of our lord the King. Witness as above.

The King to the Barons of the Exchequer, Greeting. The account of Alexander de Bassingburn in the debt which he owes to us at this exchequer at Easter in this 9th year, etc. 100s. of the fine which the same Alexander made with us for 100s. which we assigned him to be received from us for maintaining himself.

*Of delivering the prison. To the Sheriff of Sussex. 15th April. Close R. 9 Hen. III. m. 17.*

It was commanded the Sheriff of Sussex that he should receive the prisoner accused of the death of a man, (who is in the Castle of Hastings, while the same castle was in the hand of W. Earl of Warren) safely to be kept in our lord the King's prison of Chichester; that because he has not done it our lord the King is astonished, again commands him that he receive the same prisoner to be kept in the prison of Chichester till the coming of the justices unto those parts. Witness as above.

And it is commanded Alexander de Bassingburn the Constable of the same Castle, that he deliver him to the same Sheriff. Witness as above.

*Of a ship of Henry son of Reginald.*

It is commanded to Alexander de Bassingburn, Constable of Hastings that he permit the ship of Henry son of Reginald which William Patte commands and which he caused to be arrested in the port of Pevens' laden with corn—to go without impediment to Winchels' having accepted security that he will not turn aside elsewhere. Witness (etc. at) Westminster the 21st day of April (9 Hen. III. 1225).

*Close Roll, 9 Hen. III. 1225. Of permitting corn to be sold in the ports.*

It is commanded to Alexander de Bassingburn, Constable of Hastings, that by reason of the command which our lord the King made to him that he permit not any corn to be carried to ports beyond the sea; that he impede not the mariners having saleable corn in their ships, who may sell that corn in English ports in which those ships are when this shall be to the profit of those parts. Witness ourself at Westminster the 23rd day of April.

*9 Hen. III. 1225. Of serjeants sent to Hasting'.*

Our lord the King sends to Hastings Richard Bridenel, Philip Bastard, and Robert Markade, crossbow-men to whom he caused to be delivered 30s. to wit, to each of them 10s. in part payment of their liveries, and it is commanded Alexander de Bassingburn, Constable of Hastings, that he receive them in the Castle of Hastings to make their dwelling there with him. Witness the King at Westminster the 29th day of April in the ninth year.

*9 Hen. III. 1225. Liberate.*

The King to E. the Treasurer and his Chamberlains, Greeting. Deliver from our Treasury to Richard Bridenel, Philip Bastard, and Robert Markade, our crossbow-men who lately came from Ireland, 30s. to wit to each of them 10s. in part payment of their liveries. Witness as above. By the Justiciar.

*Close Roll, 9 Henry III. part 39, 1225. For delivering a ship.*

It is commanded to Alexander de Bassingburn the Constable and his bailiffs of Hastings that they permit the ship which Henry son of Eudo de Sandwich commands loaded with corn, which



## The Constables' Salaries

was stayed at Hastings, to be taken to Dover and that they having received security by good pledges or by hostages that they go not aside with that corn elsewhere. Witness ourself at Westminster the 15th day of May in the ninth year, before the Justiciar and the Bishops of Bath and Salisbury.

*Close Roll, 9 Henry III. 1225. For the Countess of Eu.*

It is commanded to the Constable that by the occasion of the Castle of Hastings which our lord the King committed to him, that he will not put his hand upon, nor take anything from, the men or the lands of the Countess of Eu, or other things pertaining to her, and if he shall take anything there he shall cause it to be restored to the said Countess. Witness . . . at Westminster, the 24th day of May, in the same year.

*Close Roll, 9 Henry III. 1225. Account.*

It is accounted to William Earl of Salisbury in a debt, that he owes us 50*l.* which he received from the perquisites of the Rape of Hastings in the time of our father and which he pardoned him by general pardon.

*Close Roll, 1225, 9 Henry III. m. 5.*

The King etc. Greeting etc. The account of Alexander de Bassingburn in the debt which he owed to us at this Exchequer at Easter in the 9th year of our reign, viz. 100*s.* of the fine which the same Alexander made with us for 100*s.* which we have assigned to him to be received from us to maintain him in the Castle of Hastings to the feast of the Holy Trinity in the same year. Witness the King at Westminster the 15th day of April.

*Of 20 marks sent for the work of the Castle of Hastings. 9 Henry III. m. 9, 1225.*

It is commanded William son of Robert and John Page, that they receive the 20 marks which our lord the King sends to them by Robert de Aubervill' and that they lay them out in the work of the Castle of Hastings by view of the same Robert so that they be well expended. Witness the King at Westminster in the 6th day of July.

In the same manner it is written to the same concerning 40 marks sent by the same for the work of the same Castle of Hasting'. Witness the King at Westminster, the 8th day of August.

*9 Henry III. m. 6, 1225.*

Deliver also from our Treasury to Robert de Aubervill, Constable of the Castle of Hastings, (*inter alia*) 7th day of August in the same year.

*Do. m. 6.*

Deliver also from our Treasury to Robert de Aubvill' Constable of the Castle of Hastings, 40 marks for the work of the same castle (*inter alia*) the 6th day of August in the 9th year.

*Do. m. 5, Liberate.*

The King to E. the Treasurer (and) the Chamberlains, Greeting. Deliver from our Treasury to Thomas de Willardeby, four marks and ten shillings to pay off the arrears of the work of the Castle of Hastings which are owing from the time when Alexander de Bassingburn was Constable of the same castle. Witness the King at Westminster the 20th day of August before the Justiciar.

*Do. m. 9. Liberate for the work of the Castle of Hastings and for many other things.*

The King to E. the Treasurer and his Chamberlains, Greeting. Deliver from our Treasury to Robert de Aubvill' 20 marks to be carried to Hastings for the work of the Castle of Hastings. Deliver also to the same Robert 10 marks for the keeping of the said castle from the feast of St. John the Baptist in the 9th year to (the feast) of St. Michael in the same year.

*Close Roll, 9 Henry III.* It is commanded to the Constable of Hastings that he send without delay to the Sheriff of Sussex, Simon de Marchaunt whom the constable (*caput*) detains in the Castle of Hastings for the death of the wife of William le Claver, whereof he is accused to whom our lord the King shall command otherwise thereof.

*Liberate for the Castle of Hastings. 10 Hen. III. m. 15.*

The King to E. the Treasurer, etc. Deliver from our Treasury to Robert de Aubvill 10 marks, to be carried to Hasting' for the work of the Castle of Hasting'. Witness (etc. at) Westminster, the 24th day of May.

## Work at the Castle

*Liberate for the Castle of Hastings. 10 Hen. III. m. 4.*

The King to E. the Treasurer, etc. Deliver from our Treasury to Robert de Aubvill, Constable of the Castle of Hastings, 30*l.* for the work of the same castle. Witness (etc. at) Westminster, the 8th day of October.

*Liberate for the Castle of Hastings. 9 Hen. III. 1225, m. 3.*

The King to E. the Treasurer (and) the Chamberlains, Greeting. Deliver from our Treasury to Robert de Aubvill' Constable of the Castle of Hastings, 20 marks for the work of the same castle. Witness etc. the 11th day of October. Before the Justiciar and J., Bishop of Bath.

*10 Hen. III. m. 26.*

(*Inter alia*) Deliver etc. to Robert de Aubvill' 20 marks for keeping the Castle of Hasting' from St. Michael's day in the 9th year of our reign to the feast of St. Michael in the 10th year, etc. Witness (at) Westminster the 14th day of December.

*Liberate Roll (Exchequer Issues Pell Office) 10 Hen. III.*

Henry, by the grace of God, etc. Pay from our Treasury to Robert de Auberville 10 marks for works at the Castle of Hastings. Witness ourself at Westminster the 23rd day of May (1226).

*11 Hen. III. 1226-7.*

Allowance by the King to Robert de Auberville of 10 marks, half his salary, as keeper of the Castle of Hastings.

In the year 1226, the Pope sent his envoy Otho to ask that every portion of a collegiate church should assign one prebend to the Papal See. This extraordinary demand was rejected, on the ground that England already paid tribute to Rome under John's submission, and was free from these further unjust exactions and oppressions (*Rog. Wend. 1225, 1226*).

In 1227 Henry, although not yet twenty years of age, resolved to attempt to govern the kingdom, and he withdrew himself from the tutelage of Peter des Roches. Hubert was made Earl of Kent, and remained Justiciar, carrying on for five years that difficult office, incessantly annoyed by the interference of Henry. After a while, the King, listening to the enemies of the Justiciar, began to look upon all his actions with suspicion, and in 1232 Hubert's great enemy, Peter des Roches, being restored to his royal master's confidence, persuaded him to dismiss the Justiciar on various pretexts, the chief charge being that he had misappropriated the goods of the Crown. Indeed, the King had found less in the Treasury than he expected; but, however that may have been, he was destined in later years to discover that these charges were groundless.

Hubert finding himself without friends, and perceiving that his enemies were daily heaping up fresh charges against him, took sanctuary at Merton. The King at first ordered the Mayor of London to arm the citizens and seize Hubert; but he was induced to countermand the order, and granted him a reprieve. Hubert then left Merton, and took refuge in the house of the Bishop of Norwich. The King deciding to withdraw his respite, sent the knight Godfrey de Craucumbe (formerly Constable of Hastings Castle) with three hundred soldiers, ordering him, on pain of being hanged, to take Hubert prisoner, and confine him in the Tower of London.

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1227. On petition of Peter de Coln, the Bishop of Chichester separated the prebend of Wertling into three portions with leave of the Countess of Eu (see *postea* description of Wertling [Wartling] prebend).

1230. The King committed the custody of his castle at Hastings to John de Gatesden (*Pat. 14 Henry III.*). He was Sheriff of Sussex, 20-24 Henry III.



## Hubert de Burg

They found Hubert in a chapel near the Bishop's house, "holding the cross of our Lord in one hand and the body of Christ in the other" (*Rog. Wend.*, 1232), having fled there stark naked from his bed. [It was the custom in mediæval times to go to bed without a nightgown of any sort.] Godfrey de Craucumb entered the chapel with his men-at-arms and bade Hubert, in the King's name, leave the chapel to speak with the King. Hubert refused, whereupon they snatched the Cross and the Viaticum from him, and binding him, they put him on a horse and took him to London.<sup>1</sup> On the matter becoming known to the Bishop of London, he compelled Henry to return Hubert to the chapel, which he did unwillingly, and gave orders to the Sheriffs of Hertfordshire and Essex, on pain of death, to surround or lay siege to the chapel with all the inhabitants of the neighbourhood. Making a trench round the holy edifice, they determined to keep watch for forty days, the King giving orders that no food should be passed in to the fugitive. Hubert at last surrendered, whereupon he was put in irons, and thus manacled they brought the erstwhile gallant defender of Dover, the proud victor in one of England's greatest naval engagements, to the Tower of London. Henry subsequently forfeited all his treasures, and binding him on the recognizances of four Earls, placed him in more honourable restraint at Devizes, restoring his purchased properties to him.

Another change brought about by Peter des Roches was the dismissal of the new Treasurer, Peter de Rivaux, a creature of his own being appointed in his stead, to whom the King gave the custody of nearly all the castles throughout England. A grant of one-fortieth of movables, amounting in all to 24,712 marks, was made by this new administration. Henry finding himself deceived by these officials, in the next year (1234) dismissed them all. Peter des Roches and Peter de Rivaux, fearful of the King's wrath, took sanctuary at Winchester.<sup>2</sup>

Civil war breaking out in 1234, Hubert escaped from Devizes and joined the malcontents; nevertheless, on the suppression of the rebellion, he was restored to his estates.<sup>3</sup>

In the year 1236 Alice, Countess of Eu, on St. John the Baptist's Day, presented Richard de Canterbury, (*Cant.*), priest, to Ralph, Bishop of Chichester, in these words:—

To the reverend father and lord in Christ, Lord Ralph, by the grace of God, Bishop of Chichester, Alice, Countess of Eu, greeting and reverence both due and devout. May your fatherly goodness know that I, at the prompting of divine charity, have granted to my beloved in Christ, lord Richard, chaplain, the bearer of these presents, that vacant prebend, formerly belonging to William de Wertlyng, late Canon of Hastings, wherefore, as the gift of the said prebend belongs to me by right of patronage, I beg you to be pleased to admit the said lord Richard at my

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<sup>1</sup> Matthew Paris adds: "They could not find a man willing to bind him."

<sup>2</sup> *Close Rolls*. 18 Henry III. 1234. *The King*. "The Barons of the Port of Winchelsey are commanded henceforth not to be obedient to Peter de Rivall, but to the King only. Similar command to Barons of Rye, Sandwich, Dover, Hastings, Hithe, and Pevenes."—Gloucester, 2 June.

<sup>3</sup> *Close Rolls*. 19 Henry III. 1235. *The King*. Bailiffs of the port of Dover are commanded to cause twelve of the best men of their town, to come before the King at Dover, on Sunday after the Purification, to speak with him concerning his affairs.

Similar command to bailiffs of Hythe, Sandwich, Romney, and Rye. To the bailiffs of Hastings six men. To the bailiffs of Winchelsea eighteen men. (Afterwards they were commanded to meet the King at Dover on the following Wednesday.)—Westm., 25 Jan.

## Count Peter of Savoy

presentation. Doubtless you will know that, as I have heard, he is the offspring of lawful marriage [&] his knowledge of letters is sufficiently learned, worthy of such a benefice or even a greater. Given at Tikehelle, on the day of the Feast of St. John the Baptist, in the year of our Lord 1236 (*Ch. Mis. R.* 34).

In 1236, the twentieth year of his reign, Henry was married to Eleanor of Provence, daughter of Raymond of Provence, and niece to Peter, Count of Savoy.<sup>1</sup> On June 16th, 1239, Prince Edward was born.<sup>2</sup> Henry seemed particularly anxious to be on friendly terms with his wife's foreign relatives, whom he freely invited to England, bestowing upon them large gifts. Among others came the Queen's maternal uncle, Peter, Count of Savoy, to whom he gave the Honour of Richmond, by which grant he presumably became Earl of Richmond, although he is never referred to as such (1241).<sup>3</sup> The Honour had formerly belonged to Peter, Count of Brittany; but on his departing from his allegiance to Henry in 1234, and surrendering his territories to the King of France, Henry seized all the estates and possessions which Peter of Brittany owned in England, and deprived him of his dignities. The King of France, against whom Peter had formerly conspired, gave Brittany to his son, John of Brittany, for life. Matthew Paris and Matthew of Westminster say: "Count Peter of Brittany turned pirate, and lay in wait for merchants and others trading at sea, from which cause he was nicknamed 'Mauclerc,' and indulged in rapine by sea."

Henry III. dubbed Peter of Savoy a knight in the year 1241 (January 5th), in the great church of St. Peter, at Westminster, "together with fifteen other illustrious youths" (*Mat. Paris*, 1241), the ceremonial being marked by great splendour. Soon afterwards a tournament being arranged by Peter, the King did all in his power to contrive that the foreign followers of the Count should win. But the matter having got bruited abroad aroused great indignation among the English, and the tournament was prudently forbidden by the King, who was fearful of an unseemly or riotous disturbance. Peter continued to be one of the King's favourite counsellors; but on hearing of the return of the King's brother, Richard, from the Holy Land, and perceiving that he was not very popular, he prudently resigned into Henry's hands all the castles which he had received in charge from him. This policy disarmed to some extent those who had been jealous of the foreign favourite; but, having obtained the King's permission to go abroad, he

<sup>1</sup> *Close Rolls.* 22 Hen. III. 1237. *John and Hugh del. Bois.* Deliverance on bail from the King's prison at Hastings being accused of the death of Richard de Mumbray, whose dead body was found by them.—Chanton, Dec. 14th.

<sup>2</sup> William, Earl of Warenne, died May 27th, 1240, in London.

<sup>3</sup> He was seventh son of Thomas, Count of Savoy, by Beatrice, daughter of William, Count of Geneva. He was born at the Castle of Susa, Piedmont, in 1203. He became Canon of the cathedral church of Valence, Dauphiné, and afterwards Provost of the cathedral church of Aosta, but renounced his vows and married, February, 1233, Agnes, daughter and coheiress of Aymon, Seigneur de Faucigny.

25 Henry III. 1241. Sheriffs of certain counties are commanded to cause the defects of the castles of those counties to be seen to.

*The King.* Sussex. By William de Ichingham, John de Ichingham, John de Cunk, Adam Tratcusteys, Robert de Buscy.—Marlborough, 25 Jan.

To *John de Gatesden.* Pardon of the escape of two thieves, and of four men who were taken for the death of Robert de Vilars from the King's prison at Hastings, when the Castle was in the custody of the said John.—Westminster, 14th June.

N.B.—John de Gatesden had been appointed Constable of the Castle in 1230 (14 Henry III.).





SEALS OF THE COUNTS OF EU,  
(LORDS OF THE RAPE OF HASTINGS), AND OF THE COLLEGIATE CHURCH OF HASTINGS.



1. John, Count of Eu, 1165.
2. Henry (II) Count of Eu, 1183 (restored from several casts).
3. Ralph of Issoudun, Count of Eu, *circa* 1200. 3A, reverse.
4. Alice, Countess of Eu, 1219. 4A, reverse.
5. The Church of St. Mary of Hastings, 1195.
6. Common Seal of the Church of St. Mary of Hastings, 1334.
7. The Dean (Vincent) of the Church of St. Mary of Hastings, 1280.



## Forfeiture of the Rape by the Eu Family

was about to embark when he was recalled to the royal presence and received the wardenship (though unwillingly) of Dover Castle.<sup>1</sup> In 1242, Henry went to the assistance of Hugh de la March, his stepfather (Peter of Savoy being sent forward by Henry to acquaint Count Hugh of the approaching help), who had provoked a quarrel with the King of France. The campaign proved most disastrous for Henry, who was ignominiously beaten, being to some extent betrayed by Hugh de la March, by whom, indeed, he was finally deserted. Most unwisely, Henry commanded the Masters of the Cinque Ports to harass the French merchant shipping (*Rymer*) ; and for a long time afterwards the Channel was overrun by pirates, both French and English, to the great ruin of many merchants.<sup>2</sup>

Henry returned home in September, 1243. After the conclusion of this campaign, the King of France, having convoked at Paris (1244) all the people across the water who had possessions in England, thus addressed them :—

“As it is impossible that any man living in my kingdom and having possessions in England, can completely serve two masters, he must either inseparably attach himself to me or to the King of England.” Wherefore those who had possessions and revenues in England were to relinquish them, and keep those which they had in France, and *vice versa*, which, when it came to the knowledge of the King of England, he ordered that all the people of the French nation, and especially Normans, who had possessions in England, should be dis-seised of them.

Whence it appeared to the King of France that the King of England had broken the treaties concluded between them, because he had not, as the King of France had done, given the option to those who were to lose their lands in one or other of the two kingdoms, so that they might themselves choose in which kingdom they would remain . . . (*Mat. Paris*, 1244).

Up to this period it would seem that Alice, Countess of Eu, had, with the exception of the body of the Castle, enjoyed her property in the Rape of Hastings as of right, and even so late as 1242 Henry III. had by letters patent undertaken “the protection and defence of the men, lands, goods, and all the other possessions of her the said Countess.”<sup>3</sup>

Her name as Countess of Eu is found in two deeds dated February and

<sup>1</sup> He was Warden of the Cinque Ports in 1241–42.

<sup>2</sup> A truce was arranged commencing with the day of St. Gregory ; nevertheless, Peter, Count of Brittany, pretending that he was not aware of it, continued his piracies, plundering the merchants who, in reliance on the truce, passed through his territories ; but the French King, hearing of it, commanded restitution to the English King, pronouncing the Count infamous, and condemned him to just punishment.

<sup>3</sup> The custody of her lands was committed to Bernard of Savoy, but she continued to receive her rents, and when the aid was levied in 1245 for the marriage of the King's eldest daughter she was charged £62 10s. 0d. for 62½ knights' fees in Sussex, and £60 15s. for 60¾ knights' fees in Yorkshire. This last sum is recorded as having been owing by her in 1247, in which year she probably died. Her son Ralph, who survived her, died in 1248, and her grand-daughter's husband called himself Count of Eu early in 1249 (*Stapleton, Norman Exchequer*). Her anniversary was kept at Foucarmont Abbey on the 11th day of September, and it seems therefore probable that she died on that day of the month ; but Mr. G. E. Cokayne in his *Peerage* has lately stated that she died at La Mothe St. Heraye, in Poitou, on the 14th or 15th of May.

1242. *Rot. Fin.* 26 Henry III. *For Walter de Dene.* The King has granted to Walter de Dene that of the 50 marks which are demanded of him by summons of the Exchequer of the King, of the debt of Aubrey de Dene, his father, to whom our lord John the King, the father of the present King, caused to be delivered 50 marks for the liveries of the knights and serjeants who were with the same Aubrey for the defence of the Castle of Hastings, and did not put them in those liveries nor rendered account thereof ; that he render to the King by the year at the Exchequer of the King 12 marks and a half—that is to say, at the Exchequer of St. Michael in the 26th year, etc., 6 marks and 40 pence, and at the Exchequer of Easter in the 27th year, 6 marks

## The Castle Fortified by Peter of Savoy

November, 1243 (*Estancelin*). Her son William, electing to keep his French estates by the operation of the decree previously mentioned, was utterly deprived of his ancestral estates in England, and they were never again recovered by the house of Eu. He died on September 2nd, 1246 (?), and was buried at Foucar-mont Abbey.

In 1242 the King granted the Castle and Honour of Hastings, and the custody of the same, for the purpose of fortifying it, to his wife's uncle, Peter of Savoy, as follows :—

The King granted to Peter of Savoy his Castle and Honour of Hastings to be held until, from all the issues of the same Honour whereof he shall farm Hastings and Rye, he shall cause that castle to be fortified : (and) the King committed to the same Peter the issues of the lands which are of Theobald le Butiler and Richard de Burg, and the Honour of Hastings together with the marriage of the heir of the aforesaid Theobald, to fortify therefrom the King's castle of Hastings and if there should be anything over, then La Rye also, and the King does not wish that the same Peter shall be held to render any account thereof.—*Rot. Orig.*, 34 *Hen. III.*

Peter continued to be a favoured counsellor and ambassador of Henry. Unlike many of the King's other foreign relatives, he did not come and go according [as to whether he needed money ; but, as a foreigner, and as an introducer of foreigners and foreign customs, he was unpopular in England. He seems to have been very faithful to the King, and beyond certain oppressive measures towards ecclesiastics nothing much is recorded against him in the Chronicles. He accompanied Henry on his expedition to Gascony in August, 1253. On

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and 40 pence, and so from year to year till the aforesaid 50 marks shall have been paid. And it is commanded to the sheriff of Kent that he permit him to have the aforesaid respite, and to cause to be delivered to him his cattle taken from him for this cause. Witness, W., Archbishop of York, at Mortlake, the 29th day of July. Hubert de Burgh died on May 12th, 1243.

Henry de Muherst has the King's letters of presentation to the prebend of Bolewareheth, vacant and in the King's gift, belonging to the church of St. Mary of Hastynys, and the letters are addressed to the Bishop of Chichester. In witness, etc. Witness the King at Westminster, the 3rd day of May, in the 37th Henry III., etc.—*Ch. Mis. R.* 38<sup>4</sup>.

*Scutage Rolls*, 1253.—In the year of the reign of King Henry the third, the thirty-eighth of the salvation of mankind by Christ 1253. The names of the tenants of twenty librates of land in chief of the said lord Edward son of the King, who is within age and is in the custody of our lord the King. These were distrained by the Sheriff to pass over the sea to King Henry III., who was about to invade Gascony in a hostile manner.

### SUSSEX.

Walterus de Escoteny (Scotney).

Willm. de Sancto Leidegar de Worteling (St. Ledger).

” ” de Farned (Farlight ?).

John de Moyn.

Thomas de Warblington (Warbleton).

William de Northeye.

Bartho de Ashburnham.

Simon de Etchingham.

Waleran de Moncdano (Moncadano).

Mathew de Hasting.

” ” Knelle (Knell in Beckley).

William de Southwelle.

Herbert de Barhers (Burghershe).

Maquilla, who was the wife of Roger Wascelyn.

Isabella ” ” Robert de Veepont (Vipont).

The heir of Kochenore (Kichenore in Beckley).

Andrew Peverell.



## The Rape Granted to Prince Edward

capturing the castles of La Réole and Bazas the King gave possession of them to Peter. Henry spent Christmas at Bazas, where he concluded terms of peace with the King of Castile. A marriage was proposed between young Prince Edward, now in his fifteenth year, whom Henry on his departure had left at Portsmouth, "crying and sobbing on the shore," and the King of Castile's sister, Eleanor, the English King offering to assign a dowry, "after the highest rate that ever any Queen of England was endowed or honoured"; and to "assign to the same Edward for the maintenance of himself and his wife, reckoning as well the lands already given to him as those now given, fifteen thousand marks." (By the King himself at Bazas—8 Feb., 1254.) The King had already given Gascony to Prince Edward, and six days after this letter was written the following mandate was sent to Peter of Savoy:—

*Mandate for him to deliver the Rape to Prince Edward*,<sup>1</sup> 38 Hen. III., 1254.

Henry, King of England, etc., to his beloved and faithful Peter of Savoy, Greeting. Know ye that we have given and granted by our charter unto our first-born Edward and his heirs, all the lands with their appurtenances which were of the Countess of Eu in England, to have and hold to him and his heirs for ever. And we therefore command you, all occasions and delays set aside, that you cause in pursuance of these our letters, full seisin of the said lands with every their appurtenances, to be made to the said Edward or his certain attorney. In witness, etc. Dated at Bazas 14 Feb., an. reg. Hen. III., 38.

The wedding between the Prince and Eleanor of Castile took place about

<sup>1</sup> *Close Rolls*, 38 Henry III. The Sheriff of Sussex is commanded to cause a coroner to be elected in the place of William Agillum who is attending to the affairs of Edward the King's son in the parts of Hastings.—Westm., 28 Oct., 1254.

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*Close Rolls*, 32 Hen. III. 1248.

*Guildford Prison.* The Sheriff of Surrey is commanded to cause the prison to be delivered by the justices of the prisoners whom the Bailiff of the Rape of Hastings will deliver to him and of other prisoners.—Westm., Jan. 29.

[Jordan, chaplain of William de Hardene, has the King's letters of presentation directed to R., Bishop of Chichester, to that prebend of Hastyngs formerly held by Master Wariny de Hadham, which belongs to the King by reason of the lands formerly the Countess of Eu's, now being in the King's hand. Witness the King at Walsingham, the 18th day of March, in the 32nd Henry III.—*Ch. Mis. R.*  $\frac{1}{4}$ .]

Grant to the Canons of St. Mary, of the rents due to the treasury of the church, as they used to have in the time of the Countess of Eu from her lands, etc.—Westm., 21 July.

*Close Rolls*, 34 Hen. III. 1250.

The Bailiff of the Rape of Hastings is commanded to cause to be paid to the Canons of the Church of St. Mary the arrears of rent which they used to receive in Bolewareheth in the time of Alice late Countess of Eu, and the arrears of rent of land in Crocham, and also in future the tithe of the meadow under the Castle.—Westm., 8 Oct.

1252. May 26th. Safe conduct was granted for Alphonse, Count of Eu, coming on a pilgrimage to Canterbury.—*Fœd.*, i. 473.

*Close Rolls*. 1252. 36 Hen. III. *The King.*—The Barons of Hastings are commanded to have all the service that they owe to the King, of ships of their port, ready at Portsmouth to go with the King to Gascony.

Similar command to the barons of Hythe, Winchelsea, Romney, Rye, Sandwich, and Dover.—Woodstock, August 17th.

*Close Rolls*, 39 Henry III. Geoffrey de Langel (Langley?) is commanded not to use any liberties in the lands which did belong to the Countess Augi and now given to Edward the King's son, except those that were used in the times of the Lords of those lands.—Westm., 13 Feb., 1255.

## Execution of Walter de Scoteny

June, 1254. The next few years were occupied with continual bickerings between the King and the Barons on the constitutional affairs of the kingdom. Under the "Provisions of Oxford" (the "Mad Parliament") of 1258, the King was to be assisted by a standing council of fifteen members, while twenty-four members were chosen as a committee to reform the State. Peter of Savoy, though not one of the twenty-four, was chosen as one of the Council of fifteen. In the same year Walter de Scoteny, Seneschal to the Earl of Gloucester, who was one of the freehold tenants of the Rape of Hastings, and formerly one of the governors of the Castle (see *Pat. Roll*, 16 *John*), absconded from his post, being accused of "having basely and treacherously administered poison to the Earl, his master, and his brother William, from the effects of which the latter died, and the life of the former was endangered." It appears that William had accused Walter de Scoteny of poisoning him, and had then immediately afterwards expired. However, as Matthew Paris says, Walter repeatedly offered to clear himself publicly in due form of the crime imputed to him. He was captured in March, 1259, and placed in the closest confinement in the Tower of London. It is stated that later on he was closely confined in three counties, but chiefly at the city of Winchester. In the same year he offered to clear himself of the charge.

"But what was lamentable both to relate and to hear was, that the very circumstance which gave him the greatest confidence in being set at liberty was the cause of a verdict of condemnation on him; for those who were required to give true evidence in court, as to what they knew in the matter, replied: 'As we never knew or heard that William de Valence (step-brother to the King) was indebted in any way to the said Walter; but as we are well and truly assured that the said Walter had lately received a very large amount of money from the aforesaid William, we, therefore, are more inclined to think that this money was paid to him for having administered the poison to his lord the Earl, to William de Clare his brother, and to many others, as above mentioned to satisfy the vengeance of the exiled parties, and not on account of any other debt previously contracted between them; and we are more confirmed in this opinion by the fact that William de Clare, when he found that he was poisoned, and approaching death, publicly said, 'Know all of you that this is Walter Scoteny who has consigned me to the jaws of death.' On this he was found guilty by his judges of this act of treachery, and was dragged to Winchester, and hanged on a gibbet."

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### *Presentations made by Lord Henry the King to the Bishop of Chichester of the prebend of Hastings Castle.*

The King to John, Bishop of Chichester, greeting. Know that we have granted and so far as pertains to us given to Henry de Wengeham the prebend which William de Mery had in the church of Hastyngs, vacant and in our presentation by reason of the lands formerly belonging to the Countess of Eu, now being in our hand, and we present him to you to the said prebend, requesting you to admit him, or his certain proxy for the said prebend in his name, to the same. In witness whereof, etc. Witness the King at Westminster, the 29th day of December, in the 38th Henry III. (*Ch. Mis. R.*  $\frac{4}{14}$ ).

### *Mandate of Lord Henry the King.*

Whereas the King has given to Edward, his son, the lands which formerly belonged to the Countess of Eu and other lands formerly belonging to the Normans, and the King is unwilling, on account of the danger which might threaten his crown in the course of time, if those lands should be returned to the right heirs, through peace or in any other manner, that any other liberties should be levied or used in the lands aforesaid than were accustomed in the said lands in the times of the lords thereof, command is given to Geoffrey de Langley that no other liberties shall be used in the lands aforesaid than were used in the same in the times of the lords aforesaid. Witness the King at Westminster, the 14th of February (39th Henry III.) (*Ch. Mis. R.*  $\frac{4}{14}$ ).



## John of Brittany

The lands of Walter de Scoteny in the Rape of Hastings escheated to the Lord of the Rape, namely, Prince Edward. William de Valence was banished from the kingdom.

The representatives of the Eu family continually endeavoured to obtain a reversal of the decree of forfeiture of their estates, but without avail.

The Counts of Brittany styled themselves Dukes—and were usually so styled in England, but not in France. They were afterwards created Dukes in 1297 (see *post*, p. 136). The circumstance leads to some confusion.

Count Peter of Brittany (or de Braîne) had died at sea, 1250, on his way home from the Crusades (buried in the Abbey of St. Ived at Braîne). An interesting account is given of his doings in the East and his imprisonment, by the Seigneur de Joinville in his memoirs of Louis IX.

In 1259 John, Duke of Brittany, sent the Bishop of Brest to England to beg for the Lady Beatrice Plantagenet, the second daughter of King Henry and Eleanor of Provence, as wife for his son John, afterwards Duke of Brittany. Matthew of Westminster says that—

The request for this marriage is supposed to have arisen from the circumstance that by means of it the said Count expected to acquire the Earldom and dignity of Richmond for himself and his descendants, a place in the dominion over which he had rejoiced in olden time. (The Counts of Brittany had held the Earldom since the Conquest.)

From the Royal correspondence (1259) it is clear that the Duke of Brittany did request that the Honour of Richmond should be restored to him, and the King promised to do this if he could agree the matter with the then owner, Peter of Savoy, who was at that time abroad, otherwise the King would give an equivalent (see Gale's *Honour of Richmond*, Letters Nos. 45, 46).

John of Brittany was married to Beatrice in the following year at the Abbey of St. Denis, near Paris, obtaining as a wedding portion the district which Henry had just received from Louis in exchange for Normandy. He shortly afterwards was invested as a belted knight by Henry:—

On the day of the Feast of St. Edward, when numbers both of the foreign and native nobles, and a great many other persons also, flocked to the splendid banquet given by the King, the Lord King invested with the belt of a knight John of Brittany, son of Peter, the Duke of Brittany, and twenty-four other new knights. They then all crossed the sea with as little delay as possible, with the aforesaid Prince Edward, John of Brittany, and Henry, the son of the King of Germany, (*sic*) to a tournament which had been appointed beyond the sea, to display the prowess of each individual, as is the custom of new knights (*Mat. Westminster*, 1259–60).

It is interesting to remark that on this occasion the King issued an order to the Cinque Ports for a novel kind of service—one, no doubt, by which they felt themselves honoured, but which certainly did not come within the category of the ancient services that they were bound to render to the King in return for their privilege. The order is as follows:—

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### *The Count of Eu, 1260. 44 Hen. III.*

Letter from the King to Alphonse, son of the King of Jerusalem, Count of Eu, acknowledging the receipt of his letter, asking him to induce his son Edward to exchange land with him.—Marlboro', 18 Sept.

1260. Letter from the King to Philippa, Countess of Gelre, concerning her claim of dower in the lands of Alicia, late Countess of Eu, mother of Ralph, late Count of Eu, husband of the said Philippa, and the claim of Alphonse, now Count of Eu.—Westminster, 24 July.

# Prince Edward Mortgages the Rape

1260. 44 *Henry III.*

The Barons and Bailiffs of Hastings are commanded to cause ten or twelve good men of Hastings to come to Westminster and to send a boat, ornamented with banners and supplied with young men and trumpets who may play on the water of Thames under Westminster for the recreation of the King and others. Similar commands to the Barons and Bailiffs of Sandwich, Winchelsea, Romney, Hythe, and Dover.—Windsor, October 2nd.

Presumably the matter of the restoration of the Earldom of Richmond to the Duke of Brittany could not be speedily arranged with Peter of Savoy, and in 1261 John of Brittany, son of Peter, "Duke" (Count) of Brittany, received from the King £12,000 as an equivalent "for the extent and value of his Earldom of Richmond," and in the next year he released all his right to the Honour of Richmond to the King, who declared and granted that the release should enure to the benefit of Peter of Savoy and his heirs (*Rymer*, I. 417).<sup>1</sup>

In 1261 (45 *Henry III. m. 5*) Prince Edward committed to the King, his father, all his interest in the Castle, Honour, and Rape of Hastings (*Rot. Orig.* 45 *Henry III.*, vol. i. p. 18). This grant to the King is expressed to have been made by Edward, because he had borrowed 4,000 marks (tournois) from the King of France while in great necessity, a sum which presumably King Henry had repaid. This mortgage of the Rape, etc., seems to have been made subject to the repayment of £4,000, but the King had power to assign. The King accordingly granted the Honour and Rape of Hastings to Peter of Savoy, in exchange for certain lands situated in the Honour of Richmond, as appears from the Charter now quoted.<sup>2</sup>

*Grant of Rape and Castle to Peter of Savoy. 45 Henry III. Pat. Roll, m. 5.*

Henry, by the grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to his archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, reeves, ministers, and all his bailiffs and faithful subjects, Greeting. Know ye that Edward, our first-born, in our presence having surrendered into our hands and quitted claim for himself and his heirs to the Honour, Castle, and Rape of Hastings, in the county of Sussex, on behalf of our beloved Peter de Savoy, together with the lands which were Walter de Scoteny's and their appurtenances; and which came to the hands of the same Edward by escheat on account of the death of the said Walter, and also the knights' fees, advowsons of churches and prebends, services of free tenants, and villeins, and all other belonging to the said Honour, Castle, and Rape, and moreover the service of one knight's fee in Thurrock in the county of Essex, which Bartholomew de Brent held of the same

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<sup>1</sup> In 1262 (46 *Henry III.*) the King granted permission to Peter of Savoy to leave his lands to whomsoever he wished (*Rot. Cart. m. 4*). He is (in the permit) stated to be in possession of the towns of Richmond and Bowes, with their castles and wapentakes, and all their other appurtenances, and the manor of Catterick, and the manor of Malton, and the manor of Forcett, with all their appurtenances, in the county of York; and in the county of Lincoln the Soke of Gayton, the town of St. Botolph (Boston), with its soke and markets, the manor of Frampton, the manor of Wykes, the manor of Washingborough, with all the appurtenances thereof; and in the county of Norfolk the manor of Swaffham and the manor and soke of Cotsey, with their appurtenances; and in the county of Suffolk the manor and soke of Wissett, the manor and soke of Kettleborough, the manor of Nettlestead, and the manor of Wick-under-Ipswich, with all their appurtenances; and in the county of Cambridge, the manor of Basingbourne and the manor of Hinton, with all their appurtenances; and in the county of Hertford the manor of Cheshunt, with all its appurtenances.—Windsor, March 25th, 1262 (*Rymer*, I. 417).

<sup>2</sup> It seems to have been on this occasion that the Castle and Rape of Hastings came to be accounted in after times *parcel of the Honour of Richmond*—that is to say, from the two estates being then united as the possession of one person. Such, however, was not the fact, Richmond and Hastings being always distinct Honours. This fact is explained in the grant 2 Jac. I (see *postea*, as also in the grant of Henry III. above, and further, p. 101).



## Grant to Peter of Savoy

Honour ; We, the said Honour, Castle, and Rape, do give, grant, and by this our present Charter confirm unto the said Peter, together with the said lands, which were of Walter de Scoteny, with knights' fees, advowsons of churches, and prebends, and all other to the said Honour, Castle, and Rape of Hastings belonging, as also the said service of one knight's fee in Thurrock ; to have and to hold unto the said Peter, his heirs or assigns of us, and our heirs, as fully and freely in all things as any other lords of the same Honour before held them. For the manors of Radenhall in the county of Norfolk—Wysett, Kettlebreg, Nettlested, and Wyke under Gypwe (Ipswich), and four pounds and thirteen shillings rent receivable yearly by the same Peter from Gypwe in the county of Suffolk (which are of the Honour of Richmond formerly given by us to the same Peter), and which the same Peter surrendered into our hands and quitted claim to, on behalf of the said Edward our first-born, in exchange for the said Honour, Castle, and Rape, and lands which were the said Walter's and all the other above-mentioned to pertain to the same Honour, Castle, and Rape ; so that the same Peter, his heirs or assigns, the said Honour, Castle, and Rape, together with the said lands which were Walter de Scoteny's,<sup>1</sup> knights' fees, advowsons of churches and prebends, the said service of one knight's fee in Thurrock, and all other to the said Honour, Castle, and Rape and lands belonging, may have and hold, together with the said Honour of Richmond, by the same services as the same Peter holds of us and should render for the said Honour of Richmond, before the said exchange ; that is to say, by the service of five knights' fees for all services, customs and demands belonging to us or our heirs. And we moreover will for us and our heirs, that the said Peter, his heirs or assigns, the said Honour, Castle, and Rape of Hastings, with the knights' fees, etc., may have and hold of us and our heirs, as freely and quietly therefor, in their lordships, with the rents, services of free tenants, villeins, reliefs, wards, and escheats, in fairs, and markets, in lands, meadows, woods, parks, chaces, pastures, lakes, vivaries, mills, fisheries, in highways and byeways and all other places within the town and without, as other lords of the same Honour and Rape aforesaid, have in all things fully and freely held them before the making of the said exchange ; and with all other liberties and free customs to the said Honour of Richmond pertaining ; rendering therefor to us, etc., the service of five knights' fees, etc. And if any person or persons should claim or sue for themselves, in our courts or out of them, any right in the said Honour, Castle, and Rape, or the appurtenances of the same, we will restore unto him nothing unless by judgment of our courts. And if it shall happen that any other or others do recover by judgment of our courts against the said Peter, his heirs or assigns, the said Honour, Castle, and Rape, or anything thereto appertaining, neither we, nor our heirs will disseize or permit disseizin of the said Peter, his heirs or assigns, without making reasonable exchange with them, to the value of the thing so recovered, by judgment of our said courts, together with the costs, damages, and expenses, to which the said Peter, his heirs or assigns may be put about the said Honour, Rape, and other things above-named so sought to be recovered : in such manner also that whatsoever the said Peter, his heirs or assigns shall retain of the same as in service, fee, homage, or exchange, or any other way of us and our heirs, he may hold by the same service as is aforementioned. In Witness, etc.

The few following years were spent in strife between the King and the barons under Simon de Montfort. The contending parties agreed to submit their differences to the arbitration of Louis IX. (Conference of Amiens, January 23rd, 1264). He pronounced in favour of Henry, and the barons disregarding his pronouncement, England was plunged into civil war in the following March. "Some of the Barons of the Cinque Ports submitted to the King ; others (including Hastings) did

<sup>1</sup> Walter de Scoteny held nineteen knights' fees and a half, of Alice, Countess of Eu (*Inquis* 1259).

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### *Peter de Sabaudia (Savoy), 1262. 46 Henry III.*

Seizin of the Honour and Rape of Hastings, Sussex, and of a knight's fee in Thurrock, Essex, for the manors of Radenhall, Norf., Wisset, Kettleburg, Nettlested, and Wyke below Ipswich, and rent in Ipswich which he has restored to the King for the behoof of Edward his son, who held the aforesaid Honour and Castle and Rape, and has quit-claimed the same to the said Peter.

The said Peter claims to be exonerated from the service of the Honour of Richmond belonging to the abovesaid manors in Norfolk and Suffolk restored to the King.—Westm., 3 June.

## The Castles transferred to the Barons

not, and these last withdrew themselves by sea, having loaded some vessels with their property" (*Mat. Westminster*, 1264). Henry opened the campaign with vigour and success; but his army proved a scourge to the land wherever it went. The Castles of Kingston and Tunbridge fell before him. He then proceeded to Winchelsea; there he allowed the people of the Cinque Ports to make their peace with him, and continuing his progress, he reached Lewes, where he was entertained at the Priory, and his son at the Castle.<sup>1</sup>

On May 14th, 1264, the great battle of Lewes was fought and lost by Henry and Edward, who were both taken prisoners by Simon de Montfort. John Earl of Warren, William de Valence, and Guy de Lusignan (the two latter being half-brothers of the King, fled to Pevensey), and crossed the sea to seek help for the King (*Mat. of West.*). Troops were raised from all parts of Europe by the Queen, Peter Count of Savoy, and Boniface Archbishop of Canterbury, as also by the French King. We read with pride that "our men, and especially the Cinque Ports, and the pirates, fearlessly desired their arrival." It is probable that a warmer welcome was reserved for the invaders than they would have cared to seek.

The Pope issued a sentence of interdict and excommunication of the Londoners and the Cinque Ports; the Bishops, unwilling bearers of the papal bulls, landed at Dover. "A search of their baggage being made at that port according to custom, the interdict was discovered and taken possession of by the citizens, torn to pieces, and thrown into the sea" (*Mat. West.*, 1264). For some time the Queen's

<sup>1</sup> During the abbacy of Reginald, elected in 1248 prior of Brecknock (one of the Abbey cells; elected to the Abbey of Battle in 1261) Henry III. visited the Abbey, and was hospitably received by the brethren, notwithstanding the severe exactions which they had suffered at the hands of his minions, who had, under various prettexts, levied unheard-of contributions on the ecclesiastics of the kingdom. A contemporary writer assures us that the large sum of 200 marks had been claimed and received from the monastery. In the spring of 1264 the King, after the reduction of Tunbridge, made his way, in the early part of May, towards the coast of Sussex, some particulars of his march being narrated in a MS. probably written by a monk of Battle.

"The King went forward and hastened towards Sussex, and as he was passing Cumbewelle (Combwell, a nunnery in the parish of Goudhurst) Master Thomas, his cook, going incautiously in advance of the army, was slain by a certain countryman. When the king heard this he caused many of the people of the country who were assembled above Flemenewell (Flimwell) whither they had been ordered by the Lord John de la Haye, an adherent of the Barons, to be surrounded like so many innocent lambs in a fold, and beheaded. Thence he proceeded to Robertsbridge, where he was hospitably entertained, but the monks were threatened with death unless they would pay Prince Edward 500 marks. Afterwards they went to Battel Abbey, where the brethren went forth in solemn procession to meet them. But the King, assuming a wrathful countenance, demanded from the Abbot a hundred marks, while Edward, his son, exacted an additional forty. For seeking occasion on every hand to inflict burden, they alleged that certain persons had been killed at Flimwell by the Abbot's men, who had been sent thither for that purpose. In the first instance, indeed, they spoke the truth; but in the second they were quite wrong, because at that time it was not in the power of lords to restrain their dependants.

"The King, pursuing his march, went forward to Winchelsea, where he and his whole army remained some days, revelling in the abundance of wine they found there; for the whole country was exposed to depredations and rapine. . . .

"At length the barons, directing their march against the royal army, . . . the King returned to Battel Abbey, and there first heard of their advance. From thence he despatched scouts, and directing his course by their intelligence, set out with his forces under arms in the direction of Lewes" (*Harl. MSS.*).

After the battle of Lewes, in the custody of Simon de Montfort, Henry returned to Battle on May 17th. At this time all the royal castles were transferred to the custody of the barons.



## Inquisitions concerning Rebels

fleet remained at the harbour of Damme. On account of bad weather, and also for some other reasons, this attempt to invade England was never brought to pass, and the fleet and army assembled abroad to restore the King dispersed without having accomplished anything.

In the meantime, Edward, and Richard King of the Romans, were confined as hostages in the castle of Wallingford (*Mat. West.*, 1264). "Simon took King Henry (really a prisoner) about with him always; but to whatever place they went, he was always received with honour, and as a King, and the Earl shewed him every kind of respect" (*Mat. Paris*, 1265 ? 4). In November they were at Oxford,<sup>1</sup> and, as Matthew of Westminster says, "Simon took with him King Henry, who at this time was so well inclined to him, that he could do nothing of importance without him,"—a comment which, under the circumstances, is not devoid of grim humour. Next year the battle of Evesham entirely reversed the fortunes of the Barons, Simon de Montfort being slain, and Henry set free by his victorious son, who had escaped from the keeping of the Barons. Prince Edward afterwards took the Castle of Dover and "proceeded onwards, traversing all the country near the coast, punishing some of the inhabitants of the Cinque Ports on account of their crimes, and some he put in fear, and others he mercifully admitted to peace." Winchelsea alone resisted, and being assaulted was taken by Edward. "He thenceforth ordered their piracies to cease, and therefore a great tranquillity was spread over the sea" (*Mat. West.*, 1265).

Among the Inquisitions concerning those (49 *Henry III.*) who had taken part against the King in the rebellion are to be found the following records relating to persons in the Rape of Hastings:—

*No. 162.* Inquest of twelve jurors of the hundred of Guestling that is to say by Walter le Hane, Vincent de la Stokke, John Covert, Oliver Hered, Philip de Esse (Ashburnham), Elyas l'Arblaster, Stephen le Hesel, Warrin de Farnlee (Fairlight), Nicholas de Stanyng (Steyning), Henry de Sneylhame, John de Bromham, and William son of Godeleve, who say on their oath, that Henry de Oores (Ore) is one of the Lord King's enemies and holds land in Guestling, which is worth 50 shillings by the year in all issues and the rent of which at St. Michael's term amounts to 10 shillings, which the wife of the said Henry has taken.

*Collectors and Wardens*—{ John de Bromham,  
Henry de Sneylhame.

*No. 202.* Inquest held by the undersigned jurors of the half hundred of Nedderfelde (Netherfield), namely, Henry de Panehurst (Penhurst), Robert de Bromham, John de Smalefelde, Adam de Britling (Brightling), Walter Turner, William de Tonal, who say that the Lord Earl of Gloucester has taken seizin of the lands and tenements of Sir Mathew de Hastings, in the manor of Neddrefelde (Netherfield). The extent and yearly value of the same in rents, issues, and other matters 9 marks; by the rent at the term of St. Michael, 26s. 8d. Also the jurors say that the Lord Earl of Gloucester has taken seizin of the manor of "Mundefelde" (Mountfield), of Roger de Sthokenhurst (Sokenershe in Brightling?). Its yearly extent and value, all things computed, 4 pounds; rent at the term of St. Michael, 28s.

*Fellow Jurors*—{ William de Hasting,  
Geoffrey de Huckestepe (Buckstepe?).

[Gilbert de Clare, Earl of Gloucester, fought for Simon de Montfort at Lewes, but afterwards deserted and led some of the King's forces at Evesham.]

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<sup>1</sup> 1264, 49 *Henry III.*, 3 *Close Rolls*. "Guischard de Charron was appointed to the custody, for the King's behoof, of the lands etc. of Peter of Savoy in the Rapes of Pevensey and Hastings."—Oxford, 8th Nov.

[Guischard de Charron was a servant in the employ of Peter of Savoy, and was usually appointed to receive livery and seisin of the Count's estates.]

## Death of Peter of Savoy

No. 247. Inquest held in the hundred of Neneſield by Hugh de Goding (Goding), Simon de Catspeld (Catsfield), John de Odecumb, Ralph de Swynham, Thomas de Ho (Hooe), Robert de Ingeram, Gregory de Chelilond, Andrew de Ingeram, Geoffry Fraunces, and Andrew de Thorne, William de Broe (Broc), and Symon the Turner, Jurymen, who say on their oaths, that the Earl of Gloucester, has taken seizin of the manor of Ho, which is worth 30 marks a year in all issues, and 9 marks, 3 shillings in rent at St. Michael's term.

Wardens—{ Thomas de Ho (Hooe)  
                  { Geogory de Chelilond.

William de St. Leger was among those rewarded for his adherence and fidelity to the King, and recovered full seizin of his lands at Farleigh (Fairlight) and Icklesham which the King had taken into his possession as security for lands confiscated in Normandy.

Walter de Scotney obtained a confirmation of the manor of Bynelesham (Bibleham ?), and all fiefs in the Rape of Hastings, which he held of the Bishop of Chichester and (*inter alia*) all the land which John le Freamville held in the Rape of Hastings.

### A LETTER FROM THE BARONS OF HASTINGS TO KING HENRY III.

To their most excellent lord, and most dear lord, the most illustrious King of England, his liege and faithful barons of Hastings, Greeting. In the Saviour of all, and prompt and ready willingness to obey in all things even to the division of soul and body, with all subjection, reverence, and honour.

We have thought right to declare, by these letters, to the excellence of your royal majesty, that extreme grief of heart, and anguish beyond measure, have now, for a long while past, affected all and each of us, inasmuch as we have neither been able to approach the bodily presence of your loyal clemency during the delay of your long sojourn in remote parts, nor to direct sure messengers, in order to ascertain the certainty of the good condition of your person, for the sake of both the love and honour of which, we are ready to be crowned with a victorious death, if necessary. Moreover let your royal excellence take notice that we have, up to this time, guarded your town of Hastings, for your use, and that of your heirs, and at your good pleasure shall guard it for ever, although anything to the contrary may have been suggested to your pious ears, by our enemies against us. To which enemies indeed do not give credence, since they are not to be believed in anything, and although some persons, without the assent of our community, may have offended your royal majesty, we have at no time adopted them, nor their evil deeds, but, even in the presence of your royal majesty, have disavowed and disapproved them and their evil works, and have never ceased to disapprove them. Wherefore we humbly implore the clemency of your royal majesty, insomuch that you may intimate your good pleasure to us, as to your liege and faithful one, concerning all and singular matters which may please your royal majesty. May the excellence of your royal majesty be in health and flourish to endless time."

A similar letter by the same hand was sent by the men of Rye—No. 73. *Inquis. de Rebell.* (Hastings). No. 93. *Inquis. de Rebell.* (Rye).

On September 10th, 1265, Peter of Savoy was put in possession of his lands, from which he had been ousted during the late Insurrection (*Fæd.*, 458). In 1266 Peter having succeeded to the County of Savoy,<sup>1</sup> was still in the service of Henry as one of his counsellors and ambassadors, and in 1268 he died, Lord of the Honour of Richmond and Hastings. He had, by his will dated 53 Henry III.,<sup>2</sup> bequeathed to Queen Eleanor his niece, the Honour of Richmond; as also to Thomas of Savoy, and to Asmodeus and Lewis, his brothers, the Honours of the Eagle (Pevensey) and Hastings. The latter portion of this device did not take effect, and was disregarded, for we find in the King's mandate, addressed to the tenants of the Rape to do homage (recited later), that Prince Edward was in possession of the Honour and Rape. It should be remarked that the authority given to Peter of Savoy in 1262, to make a will with respect to certain lands did not extend to the Honour of

<sup>1</sup> He succeeded Boniface (his nephew) in 1263.

<sup>2</sup> He died at Chillon, Vaud, 7th or 9th June, 1268, and was buried in the Abbey of Haute-Combe in Savoy.



## The Rape granted to John of Brittany

Hastings. Queen Eleanor, who was the devisee of the Honour of Richmond under the will of Peter of Savoy, promptly transferred it to Henry, accepting from him in exchange an annuity : and it would seem that almost immediately after the death of Peter of Savoy Prince Edward had retransferred to the King those lands and tenements belonging to the Honour of Richmond which he had received under the exchange (in 45-46 *Henry III.*) from Peter of Savoy, for the Honour of Hastings. Prince Edward was consequently now deemed in possession of the Honour of Hastings.<sup>1</sup> He shortly after started for the Holy Land. To the disappointed devisees (or rather intended devisees) was sent the following letter from the King :—

A.D. 1270, *Henry III.*, m. 49.

The King to all, etc., Greeting. Forasmuch as Peter of Savoy by his will bequeathed all his honours of Aquila (Pevensey) and Hastings in the County of Sussex to Thomas of Savoy, to Asmodeus, and Lewis, the brothers of the aforementioned Thomas : and seeing that the said Thomas, Asmodeus, and Lewis, according to the above-mentioned bequest claim from us those honours : and that Edward our son and heir possessing the aforesaid Honour of Hastings, is now far away from home in foreign parts, by reason of which absence we can ordain nothing in this present case : we nevertheless wishing to shew to the above-mentioned Thomas, Asmodeus, and Lewis, a special mark of our favour, grant to the same a hundred marks by the year to be by them received at our Treasury : to wit, fifty marks at Easter at our Treasury, and fifty marks also at Michaelmas at our Treasury, until the return of our said son.

To which, etc.

Witness the King at Windsor, the second day of November.

The annuity of £1200 granted (June 17th, 1245) to John, Duke of Brittany, and payable on his marriage with Henry's daughter, was frequently in arrear. Portion of the annuity was paid out of the money which the King of France had agreed to pay for the lands of Agenois and the rest from the Exchequer. Wherefore the old family estate of the "Duke" of Brittany—namely, the honour of Richmond being now in the King's hands, the Duke was well pleased to receive from the King that Earldom in lieu of the annuity. The Duke directed his right to this Honour, together with the Earldom of Richmond, and also the Rape of Hastings, to be transferred by the King to his son John of Brittany. The documents effecting this arrangement are now given :—

*Carta 53, Henry III.* (Jan. 19), to John de Britannia (Britanny).

Henry by the Grace of God King of England, Lord of Ireland, and Duke of Aquitaine, to all to whom these present letters shall come, Greeting. Whereas we hold the manor of Hyneton (Hinton) in the County of Cambridge, which is of the Honour of Richmond, and the body<sup>2</sup> of the Castle, and the town of Hastings, and the advowson of the Church and Prebends in the same Castle being,<sup>3</sup> to render up the same to our very dear son John of Brittany or his heirs, or to make

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<sup>1</sup> The grant from Prince Edward to the King in 1245, being apparently by way of *pledge*, may perhaps account for the King's statement in his letter that Prince Edward was in possession of the Rape at this time.

<sup>2</sup> The *body* of the Castle is here distinguished from the *custody* of it ; which latter appears to have been excepted in all subsequent grants, and to have remained vested in the Crown as long as the Castle was deemed to be defensible as a fortress. See p. 22 (line 20).

<sup>3</sup> Advowsons of Churches.—The lordship of the manor and the patronage of the Church were rarely in different hands, till advowsons were given to religious houses. During a controversy for the right of patronage the diocesan presented. If the patron failed to present within six months, there was a lapse to the Bishop. The advowson of churches in such manors as were held by the King *in capite* were not to be given by the lords to religious or charitable uses, without Inquisition *ad quod damnum* and licence of the King.

## The Castle and Church reserved by Henry III

exchange with them for the said manor, body of the Castle, Town, and advowsons, according to the value thereof; and it is required of us either to make restitution or exchange as aforesaid we will and grant that the said John from the Sunday within the Octave of St. Hilary, in the 53rd year of our reign, until such time as the said manor, body of the Castle, and the town of Hastings, and the advowsons aforesaid, shall be given up or we cause exchange to be made (according to the form of the convention had between us), may have and receive so much from the issues of the manors of Aldeburghe, Lydenham, and Wermele, as the amount of the issues of the said manor of Hyneton, body of the Castle, town of Hastings, and the advowsons aforesaid may be valued at in all issues. And further—that if the issues of the manors of Aldeburghe, Lydenham, and Wermele shall not amount in value to the manor of Hyneton, body of the Castle, and town of Hastings, that then what shall be deficient shall be otherwise made up to him; and if the issues of the said manors of Aldeburghe, Lydenham, and Wermele, shall exceed the value of the issues of the said manor, body of the Castle, and town, that then the overplus shall remain to us. In testimony thereof we have caused these our letters to be made patent. Witness the King at Westminster the 19th day of January in the 53rd year of his reign.

(Exemplified—27th Edward I.)

53 Henry III. (November 20), the King by Charter made between himself and the abovesaid John of Brittany, assured to the said John of Brittany the Honour and Rape of Hastings, with the knights' fees, Castle guards, and other appurtenances (the Castle of Hastings, etc., excepted) subject to certain conditions therein mentioned; and it was agreed between them that in consideration of *such severance of the Castle, etc., from the Rape*, an extent and valuation should be made of the former, and an indemnity given to the said John by way of exchange.

This instrument follows:—

Henry by the Grace of God King of England, Lord of Ireland, and Duke of Aquitaine, to all to whom these present letters shall come, etc. Know ye that whereas we are bound to render up to our dear son John of Brittany, eldest son to the noble lord John Duke of Brittany, the Honour and Rape of Hastings, with the Castle guards of Hastings, knights' fees, and every the appurtenances, together with the land which was Walter de Scoteney's, as fully and entirely as they were held by Peter of Savoy (the Castle of Hastings, town of Hastings, the advowson of the Castle Church, together with the advowsons of the Prebends belonging to the aforesaid church excepted)—it has been agreed to, by us and the aforesaid John of Brittany, that by Epiphany next approaching, there shall be two knights appointed to extend<sup>1</sup> the value of the said Castle, town, advowson of the Church, and Prebends afore-mentioned,—and if such two are not able to agree, that in that case the same two shall have power to call in a third, and that whatsoever such two of these three shall do or say in the premises shall be firm and binding. And we will make exchange of lands or rents elsewhere to the aforesaid John to the value of the said Castle and town according to such extent, as well as to the value of the advowson of the Castle Church and Prebends. And such extent and exchanges aforesaid shall be made by mid-Lent next ensuing; to have and to hold to the aforesaid John, his heirs or assigns in tenancy, from Epiphany next ensuing for the term of one whole year. And moreover it has been agreed that provided we render the manors in Norfolk and Suffolk which were of the domain of Richmond (and which we are bound by our Charter to enfranchise from the holders thereof) into the hands of the said John or his heirs or assigns in the manner whereunto we are bound by our said Charter: then the said John shall be obliged to receive such manors, which are of the domain of Richmond by himself or his attorney, within such time as we shall be ready to make delivery thereof, and to render to us or our heirs the Honour and Rape of Hastings as entire as it is secured to him, without retaining aught thereof, together with the exchanges for the Castle and town of Hastings, and the advowsons of the Church and prebends of the said Castle. And if we fail to make delivery of the same within the said term of one year from the Epiphany, we will and grant that the aforesaid John and his heirs may have and hold in inheritance from us and our heirs the aforesaid Honour and Rape of Hastings, together with the guards of the Castle of Hastings, knights' fees, and appurtenances belonging to the Honour of Hastings, in the county of Sussex, and one knight's fee in Thurrock, in the county of Essex, which Bartholomew de Brent held of the Honour of Hastings, with the lands which were Walter de Escoteney's (Scoteney's), as fully and entirely as Peter de Savoy held

<sup>1</sup> *Extentia*. The survey and value of an estate, made upon Inquisition or the oath of a jury, empanelled by the sheriff in virtue of the King's precept.



## Tenants of the Rape ordered to do Homage

them, excepting the Castle of Hastings and the town of Hastings, and the advowson of the Castle Church and the advowsons of the Prebends aforesaid. And we moreover will and grant—that the aforesaid John, his heirs or assigns, may have and hold the exchanges which we are bound to make for the Castle and town and the advowsons of the Church and Prebends; rendering to us and our heirs the services appertaining to the Honour of Hastings. And if it shall happen that we do not make delivery of the manors aforesaid within the term (mentioned)—we and our heirs are bound to warrant to the aforesaid John and his heirs the Honour and Rape of Hastings in the form aforesaid, and the exchanges which we are bound to make for the Castle, town, and advowsons aforesaid, at all times. This writing is made in the manner of a chirograph, whereof the one part sealed with our seal remains in the custody of the said John, and the other part sealed with the seal of the said John remains with us. To this are witnesses Sir William de Valence our brother, Sir Robert Walerand, Sir Robert Aginton, Sir Peter de Chanent, Sir William Belet and others. Given by our hand at Winchester the twentieth day of November in the 53rd year of our reign. (*French.*)

(N.B.—Exemplified as aforesaid 27th Edward I.)

The King's mandate addressed to the tenants of the Rape to do their homage<sup>1</sup> to the above John of Brittany, is dated five days later than the grant just recited, and runs as follows:—

Henry by the Grace of God, etc., to the knights, free tenants, and all the other tenants of the Honour and Rape of Hastings, Greeting. Whereas our first-born Edward has quitted claim and surrendered into our hands the Honour and Rape of Hastings, with the knights' fees, Castle guards, and all other to the said Honour and Rape pertaining (except the Castle and town of Hastings and the advowsons of the church and prebends<sup>2</sup> of the same); and we have granted the said Honour and Rape, with all the lands and tenements, knights' fees, Castle guard and all others, to the said Honour belonging, together with the land and tenements which were Walter de Scoteney's in the said Rape (the said Castle, town, and advowsons excepted), unto our beloved and faithful John, son of the Duke of Brittany, for lands and tenements which are of the Honour of Richmond, and which Peter, late Count of Savoy, transferred to us to the use of the said Edward in exchange for the said Honour of Hastings, to have to the said John in tenancy, as in an instrument made between us and the said John reference being thereunto had, is fully set forth. We command you to do homage to the said John, and in all things belonging to the said Honour and Rape, and that you should be attentive and obedient to him as to your lord, in form aforesaid. In testimony whereof we have caused these our letters to be made patent. Witness myself at Winchester the 25th day of November in the 53rd year of our reign.

(Exemplified 27th Edward I.)

Lord Edward, the eldest son of King Henry, during his said father's lifetime, while he held the Barony of Hastings of the gift of his father (*sic*), presented Master Ralph de Frenyngesham to the prebend of Pesemershe, vacant by the resignation of Lord Robert Burnelle, and the letters of presentation were directed to Walter, Dean of the Church of Chichester, then Guardian of the Spiritualities. Given on Monday next after Ash Wednesday, in the year of our Lord 1269.—(*Ch. Mis. R.*,  $\frac{4}{24}$ , 53 Henry III.)

The few remaining years of Henry's life were passed in comparative tranquillity. In 1268 Prince Edward took the Cross. The Duke of Brittany and John of Brittany, Earl of Richmond, accompanied Prince Edward on his crusade early in 1269, and they were present at the siege of Tunis with Louis IX. of France. The Duke was first executor named in the will of the Prince, drawn up at Acre, June 18th, 1272, when on his crusade. The death of Henry III. brought his long and troubled reign to an end on November 16th, 1272; and the King was buried at Westminster.

<sup>1</sup> *Homagium*. The duty of submission and professed dependence made by every *Homo* or feudatory tenant to his lord at his accession to an estate.

<sup>2</sup> *Præbenda*, or a prebend.—An endowment in land, or pension given in money to a cathedra or conventual church *in præbendam*, i.e., for the maintenance of a secular priest or regular canon who as a prebendary is supported by the said prebend.

## CHAPTER IX

### EDWARD I



ALTHOUGH abroad, Edward was proclaimed without opposition to the throne of England, and returned from the Holy Land on July 25th, 1274, being brought over by the Cinque Ports fleet, under Stephen de Pencestre (by order *Pat.* 4 July, 1 Edward I.), Constable of Dover and Warden of the Cinque Ports.

"Edward was crowned, and Eleanor, sister of the King of Spain, was crowned Queen, in the church of Westminster, by Robert, Archbishop of Canterbury, on August 19th. And there were present at the coronation, Alexander, King of Scotland, and John, Count of Brittany, with their wives, who were the sisters of King Edward, and who both died a short time afterwards, and by their death left a deep sorrow to the nobles after the great joy of the Coronation: for they were ladies in the flower of youth, of high character and distinguished beauty" (*Mat. West.* 1274).<sup>1</sup>

In 1276 the King summoned "his well beloved brother and faithful subject, John of Brittany, Earl of Richmond," to join the army at Worcester within eight days of St. John next, coming to repress the rebellion of Lewelin, son of Griffith, Prince of Wales, and his abettors, and to bring horses and arms.—Windsor, 12th day of December. (5 Edward I. *Parl. Writs*, vol. i.).

The Lady Beatrice Plantagenet was born at Bordeaux, June 25th, 1242, died in London on March 24th, 1275, and was buried at Grey Friars, her heart being sent to the Abbey of Fontevrault in Anjou.

<sup>1</sup> An indulgence was granted by Archbishop John Peckham for those who pray for the soul of Beatrice, daughter of Henry III., wife of John, Count of Brittany, "in order that we may help her, if haply she need help." At Mortlake. August 5th, in the year of our Lord, 1279, and in the first of our consecration. (*Lit. John Peckham*, vol. i. p. 33. 7 Edward I.).

Itemus Bothard (Bochard) has the King's letters of presentation to the prebend which William le Chamberleyn held in the church of the Blessed Mary of Hastyngs, vacant by the death of the said William, and in the King's gift, and the letters are addressed to the Guardian of the Spiritualities of the Bishopric of Chichester. Given at the New Temple, London, the 13th day of March (*Pat. Roll, M.* 18. 1 Edward I. *Ch. Mis. R.*  $\frac{1}{4}$ ).

*Presentations made by the Lord Edward, King of England, to the Bishop of Chichester, regarding Hastyngs Castle.*

William of Dover, chaplain, has the King's letters of presentation to the church of Bolewarethe, which is of the prebend of the King's free chapel of Hastyngs, vacant and in the King's gift, and the letters are addressed to R., Bishop of Chichester. Given, etc., the fifth day of May (1 Edward I. *Ch. Mis. R.*  $\frac{1}{4}$ ).

William of Dover has the King's letters of presentation to the church of Crowhurst, which is a prebend of Hastings, vacant and in the King's gift, and the letters are addressed to S., Bishop of Chichester. Given by the hand, etc., at, etc., the 28th day of April (2 Edward I. *Ch. Mis. R.*  $\frac{1}{4}$ . See also *Pat. Roll. M.* 18).



## Ordinances by Edward I. at Hastings

To Edward I., like King John, is attributed the making of certain sea-laws at Hastings, although in both cases the days of their visits to the town are wholly in doubt.<sup>1</sup> He passed the following ordinances at Hastings in the second year of his reign, 1273-74 :

### 2 Edward I. Ordinances at Hastings.

*Item.* It was ordained at Hastings by King Edward the First and his lords, that though divers lords had several franchises to try pleas in ports that neither their seneschalls (or stewards) nor bayliffes should hold plea, if it concern merchant or mariner as well for fact (deed) as charter of ships or (charter parties) obligations, and other facts, tho' the same amounts but to (unless the same amounts to)<sup>2</sup> twenty shillings or forty shillings. And if any one is indicted that he hath done to the contrary and be thereof convicted, hee shall have the same judgment as above said.—*Admiralty Black Book*, No. D. 32, No. E. 38 (French).

### Article 38 (Edward I.)

Let inquisition be made in the case of the stewards or bailiffs of such lords as possess jurisdiction over the sea-coasts who hold or claim to hold any pledge from merchants or mariners exceeding the sum of forty shillings sterling.

The Penalty. Those who are indicted therefore and convicted thereon shall pay the same penalty as above (see Article 37).

1274. And this is the ordinance of Edward the First at Hastings in the second year of his reign. And mark that any contract entered into and made between Custom House watcher and any merchant or mariner or others over sea, or below the flux and reflux of the sea commonly called flood mark, shall be tried and determined before the Admiral and not before any one else as the above mentioned ordinance decrees.

Henry III. having failed to make the exchange mentioned for the manors, part of the Honour of Richmond retained by him ; the Rape of Hastings, according to the condition of the instrument made between himself and the said John of Brittany, appears to have become vested in the latter, and to have so remained until 2 Edward I., when an inquisition to ascertain the value of the Castle, town, church, and prebends aforesaid, in order to compensate the said John for their severance from the Rape was taken pursuant to a mandate for that purpose ; and a second mandate was afterwards directed to the tenants of the Rape (in possession of which he was now confirmed by the King) to receive and do homage to him as

<sup>1</sup> Edward left England for the Crusades before May, 1269, and remained away more than 4 years. He returned and landed at Dover 2 Aug., 1274.

Roughton says this ordinance was made in the second year of Ed. I., which regnal year ended 20 Nov., 1274.

<sup>2</sup> Pleas for a less value probably adjudicated upon by Bailiff of the Ports.

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On the death of Robert Hugham, the jurors found that the manor of Dolham is held of Sir John Mounyn, and that he owes 21*d.* *per an.* Castleguard to the Castle of Hastings (*Esch.* 2 Edward I. No. 14).

On the death of Alin de Bathonia, the Manor of Boneshershe found held of John of Brittany by ancient socage (*Esch.* 2 Ed. I.).

Mandate to Vice-Dean and Chapter of the Royal Chapel of St. Mary of Hastings to convert to the support of the said chapel and its ornament the voidances of Prebends and other things (anciently ordained by the founders for that purpose) by the view of Iterius Bochard, clerk, their fellow-canon or his assign [Westminster, 18 November, 1276. *Pat. R.* 4 Edward I. M. 5 (19)].

Presentation to Stephen, Bishop of Chichester, of Master Luke de Neuport Paynell to the Prebend of the Chapel of the King's Castle at Hastings, lately held by Stephan Colram [*P. R.* 4 Edward I. M. 16 (14)].

## Inquisition of 1274

their lord. The two instruments mentioned bear date respectively, August 27th and September 11th, and are as follows :—

### *Mandate for Inquisition, Pat. Rolls 2 Edward I. M. 8.*

Edward by the Grace of God King of England, Lord of Ireland, and Duke of Aquitaine, to our well beloved and faithful Matthew de Hastings and William de Ecchingham, Greeting. Whereas we are bound to make to our dear brother and our faithful John of Brittany a reasonable exchange for the Castle and Town of Hastings, and the advowson of the Church of the same Castle, and the prebends thereto pertaining, as in the letters patent of the Lord King Henry our father, made to the said John, is more fully contained, we, willing to be certified of the true value of the same Castle, Town, and Advowson, for the cause aforesaid have assigned you to extend by oath of good and lawful men of the county of Sussex, by whom the truth of the matter may be better known, the aforesaid Castle and Town, together with the advowson of the aforesaid church and prebends to the same belonging; that is to say how much the Castle, Town, Church, and Prebends aforesaid are worth by the year in all issues. And we therefore command you that at a certain day and place which you shall appoint you make such extent; and the same openly and distinctly made, you shall send to us without delay under your seals, and the seals of those by whom it shall be made, and this writ. We have moreover commanded the Sheriff of Sussex, that at a certain day and place which you shall make known to him, he shall cause to come before you so many and such good and lawful men of the county aforesaid, by whom the truth of the premises may be better known and inquired. In witness whereof these our letters we have made patent. Witness ourselves at Wyndesor (Windsor) the twenty-seventh day of August in the second year of our reign (1274).

### *Inquisition 2 Edward I. No. 47.*

An Inquisition made by the underwritten, namely, Henry de Bodiham, Richard de Esburnham, Simon de Someri, John de Ketchenore, Henry de Penhurst, John de Gestlinge, Reginald de Tycehurst, Thomas de Regge, Thomas de Padiham, William de Genesing, William Geffrey, Walter le Forrester, Robert de Bromham, John le Funtener, John de Godecumbe, Robert de Overslage, Robert Atte Forde, Geoffrey de Snottingesselle, John de Brede, Reginald de Stonlinck, John de Belhurst, John de Langherst, and Stephen de Gotele,—who say upon their oath, that the Castle of Hastings with the Herbage<sup>1</sup> within and *without the Castle*, to wit *within the ward* is worth by the year half a mark. Also they say that the Town (Ville) of Hastings is worth by the year, in amerciaments, half a mark. Also they say that the church within the Castle is worth by the year in tithes, *per annum* four marks, in rents one hundred shillings, and in offerings at the Cross<sup>2</sup> ten marks. Also they say that the prebend of Peasemarsch (Pesemerse) is worth by the year thirty marks. Also they say that the prebend of Brightling is worth by the year twenty marks. Also they say that the prebend of Wertling, Nemenesfeud (Ninfield) and Ho, is worth by the year fifty marks. Also they say that the prebend of Bulewareheth is worth by the year 20s. Also they say that the prebend of Stone is worth by the year three marks and a half. The prebend of Holinton *per annum* nine marks. Also they say that the prebend of Maurepast is worth by the year fifty marks. Also they say that the prebend of Croherst is worth by the year ten marks.

### *Mandate to the Tenants of the Rape. Pat. R. 2 Edward I. M. 12 (Sept. 11).*

Edward by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to the knights, free tenants, and all other tenants of the Honour and Rape of Hastings, Greeting. Whereas the Lord Henry the King our father, by his Charter did give and grant to our most dear Brother and faithful John of Brittany the said Honour and Rape, to hold, to him and his heirs for ever, together with the knights' fees and all other their appurtenances saving to the said King our father and his heirs, the Castle of Hastings and the advowson of the Church of the said Castle and of the prebends belonging to the said Church, accordingly as is contained in the said Charter, we command you to do your homage and all other services accustomed to the said John as to your lord, according to the form of the said Grant, and that in all things you obey him, etc., as

<sup>1</sup> Herbage (*Herbagium*) Grass especially to be cut or mowed. *Kennett's Glossary*.

<sup>2</sup> Offerings to the Holy Cross or Oblations. These were donations of various kinds from the parishioners to the parish priest, made solemnly at four times in the year. *Ibid.*



## Origin of the Royal Free Chapels

your lord. In witness whereof we have caused these our letters to be made patent. Witness ourselves at Windsor the eleventh day of September in the second year of our reign.

[1276. The names of those who hold twenty librates of land or one entire knight's fee, worth by the year twenty pounds in the counties of Surrey and Sussex, are given in the Chancery rolls, 26 June, 6 Ed. I., at Westminster (*vide Palgrave*, 216, 18-20)].

### THE ROYAL FREE CHAPELS<sup>1</sup>

It will be noticed in the presentation of William of Dover (5 May, 1 Edward I., page 104, that the church of St. Mary within the Castle was then, for the first time in our records, designated "The King's Free Chapel of Hastings."

It is abundantly clear, from former evidence, that this church or chapel could not in any sense be termed a "King's Free Chapel," since, so far as one can judge, it had been originally subject to the jurisdiction of the Bishop of Chichester, and was not of the King's foundation. It is probable however, that a considerable part of the Norman church may have shared in the fate of the Castle under John; and certainly much of the decorative work of the chapel now to be seen may have been added at the time of the restoration of the Castle by King Henry III. It may here be pertinent to enquire into the origin of these King's Free Chapels. The custom among Christian monarchs of having a church or oratory attached to their palaces, served by priests who formed part of their household, is a very ancient one. It can be traced back as far as the time of Charlemagne, when relics of the saints were carried on to the battlefields. Indeed the word "chapel" (*capella*), as applied to the oratory of the palace, is said to be derived from a precious relic of St. Francis, called the "chape" or cope of that saint. Such relics were preserved in the royal oratory. Sometimes the relic itself was called "*capella*," and those priests to whom it was entrusted, and who carried it in the rear of the army, were called chaplains. Under the Merovingians "*l'Abbé Palatin*" was the head of these clergy and in the Carlovingian period he was called "arch-chaplain."

The palace chaplains themselves appear to have been almost always exempt from the jurisdiction of the bishops, and were directly subject to the Papal See. But grafted upon this custom was another class of Royal Oratories, which strictly speaking could scarcely be called Palace Chapels personal to the Sovereign, and did not originate in the King's foundation. For instance, in England the King sometimes acquired a castle containing a church within its walls, the history of the original foundation of which was lost in remote antiquity; a church which mayhap before the Conquest had served as the humble parish church within the precincts of the Saxon *burh*. Others had been founded within the castle by their Norman lords, sometimes as an adjunct to their residence, and sometimes as a collegiate church served by secular clergy; but these were generally under

<sup>1</sup> For useful information respecting Royal Free Chapels in general see *Glossary of Middle and Low Latin*, of Dufresne du Cange. New edition, Niort, 1883.

Matthew of Hastings found to hold of John of Brittany two knights' fees at Neddrefeld, by service at Netherfield (*P. M.* 5 Ed. I. No. 7). 5 Ed. I. It was also found that the said Matthew held the Manor of Grenocle, Sussex, of the King, by service of finding an "oare" for the King's use when he should pass over the sea at the Haven of Hastings.

## Privileges of the Royal Chapels

the jurisdiction of the Bishop of the diocese, together with their prebendal churches. When, however, the castles containing these churches came into the hands of the King by escheat, or otherwise, there seems to have been a growing tendency (which reached its climax in the reign of Edward I.) for the King, or perhaps we should more truly say, the King's clerks, to usurp the jurisdiction of the Bishops, with respect to these foundations. The theory upon which the new practice was built was that, as the castle belonged to the King, it might at any time become his residence or palace, should he choose to abide there. This theory was developed to suit their own ends by the King's clerks and chaplains, who were usually appointed on the happening of vacancies to the prebends and deaneries of the Royal Chapels. The Bishops, who, from the registers and documents in their possession, knew the history of these churches and their foundations, were much scandalized by their province being thus invaded, and their jurisdiction ousted ; <sup>1</sup> and, as we shall see presently, they opposed a strenuous resistance to this innovation. In many cases the Bishops' claim was by no means indiscreet or uncalled for. The clergy serving or pretending to serve in many of these so-called "Royal Chapels" were persons leading lives of the grossest immorality, corrupting the flock of the neighbouring parishes within the acknowledged jurisdiction of the Bishops. When loud complaints of these clerics' dissolute conduct were made to a Bishop, the latter usually attempted a visitation, only to be confronted again and again by the claim of exemption from jurisdiction. The main object of the interference was then speedily lost to view in the acrimonious bickerings which ensued between the Bishop and the King, acting under the advice of his clerks, on the questions of jurisdiction and privilege. Thus it may be said that there were three classes of Royal Chapels for which exemptions and privileges were claimed : namely, those attached to the King's palaces ; secondly, those without the palaces, but of the King's foundation ; and thirdly, those which had been founded by a subject, but had fallen into the King's hands.<sup>2</sup> The privileges and exemptions claimed with respect to the two former classes were tolerated, only so long as the sovereign was sufficiently strong to maintain them, but were constantly assailed by the neighbouring ecclesiastical authorities. In the reign of Henry III. the King had been so harassed by the sentences of excommunication and interdict fulminated by the Bishops against the Royal Chapels and their chaplains, that he deemed it of great importance to have the ancient privileges further confirmed by a bull from the Papal See. Accordingly, the delegate sent to the Council of Lyons succeeded in obtaining from Pope Innocent IV. a bull addressed to the King, declaring the Royal chapels and the chantries of the same entirely exempt from the jurisdiction of the English Bishops, and the Royal Chapels are therein

<sup>1</sup> See *Presentation of Edmund of London*, post. 20 Ed. I.

<sup>2</sup> Master Lucas de Neywport-paynel has the King's letters of presentation to the prebend formerly belonging to Stephen Coham in the Chapel of the King's Castle of Hastyngs, vacant and in the King's gift, and the letters are directed to S., Bishop of Chichester. Witness the King at Westminster, the 19th day of May, in the 4th Edward I. (*Ch. Mis. R.*  $\frac{4}{24}$ .)

Laurence of Wyndesore has the King's letters of presentation to the prebend of Bolewarethe, which Henry of Suthurst, lately deceased, had in the Chapel of Hastyngs, vacant by the death of the said Henry, in the King's gift, and the letters are directed to the Bishop of Chichester. Witness the King at Merlebergh. (4. Edward I. *Ch. Mis. R.*  $\frac{4}{24}$ .)



## Disputes between the King and the Bishops

mentioned as being immediately subject to the Holy See.<sup>1</sup> This bull was granted for the space of ten years, but does not appear to have given entire satisfaction to the King's party. Perhaps the very mention of the term of years for which the privilege was granted was repugnant to those who saw that the acceptance of a limitation of the privilege would, without doubt, at the end of the term, be construed as an acknowledgment of the jurisdiction of the English prelates, whose claim to such jurisdiction was yet altogether in dispute. Accordingly, in the following year, the King's delegate succeeded in getting the bull of privileges assured "*for ever*."<sup>2</sup>

A question, however, of construction as to what were Royal Chapels still remained open ; and the Bishops and Archbishops virtually continued to fight out the question on these grounds, and with especial bitterness against the so-called "Royal Chapels" of the third class above mentioned.

The first visitation recorded, relating to the so-called "King's Royal Free Chapel" of Hastings, is of the third year of Edward I. (see *post*), and probably for the first time the visitation was ordered to be made by the King's visitor, instead of that of the Diocesan. It does not appear that at this time any objection was taken to these proceedings. After the appointment of John Peckham as Archbishop, in March 1279, a systematic warfare on the subject was waged by the Archbishop and the Bishops against the King and his clerks. Peckham's conduct towards the King was ever marked by a conspicuous absence of timidity. His language was fearlessly honest and outspoken, and yet neither contumacious nor disrespectful of the sovereign's authority. He seems to have known full well that the King, naturally jealous of his privileges, was in reality dependent to a large extent on the advice of his clerks. On April 2nd, 1280, he wrote to the King on the subject of the abuses of the Royal Chapels' system. He concludes, "it troubles me much that you, whom God keep, set yourself to defend the iniquity of hell, God pardon you." On another occasion, being called to account by the King for having unlawfully excommunicated some of his chaplains, the Archbishop admits some degree of temper, perhaps not unnatural under the circumstances. He says, "I excommunicated all those who wrongfully disturbed the process of my visitation, and I intended to pass over your chapels with threats, until they used me despitefully and appealed against me. Wherefore, in order not to be held a coward and a fool, because they showed me no warrant for what they refused me, I caused to be denounced all those there and elsewhere, who wrongfully disturbed me, as having incurred the general sentence." He then resorts to a somewhat ingenious argument :—"And know, Sir, that no one is bound by my authority except he who disturbs my right wrongfully." (Feb. 22nd, 1281.) In another letter he uses the same subtle argument, "besides, Sir, take notice, that denunciation does not excommunicate anyone unless he be rightfully excommunicated." (Feb. 28th, 1281.)

On the subject of pluralities of the King's clerks he also felt and expressed

<sup>1</sup> A bull of Pope Innocent IV. concerning the privileges of the Chapels of our Lord the King. A.D. 1245, 29 Hen. III. *Ex. orig. on Thesaur. Cur. Recept. Scacc.* It was given at Lyons the 21st day of July, in "the third year of our Pontificate." A leaden seal is suspended to the parchment by red and yellow threads. *Rymer*, I. 261.

<sup>2</sup> *Vide* proclamation, A.D. 1246, 30 Hen. III. *Annal. Monast. Burton*, p. 304. Westminster, March 20th.

## The Canons petition against the Bishop

himself very bitterly. In accordance with their exceptional privileges, the King's clerks, although absent, were deemed to be resident in their benefices, for the purpose of the collection of their revenues.<sup>1</sup>

In a letter dated May 27th, 1281, he tells the King that he is mocked at throughout the Church for his connivance at the tenure by the King's clerks of "a damnable multitude of benefices." The King, concerned as he was to defend the rights and privileges of his Free Chapels against the Bishops' visitations, excommunications, and encroachments, constituted a general Proctor, one Ralph de Merlawe, for that purpose, by the following patent, entered in the Roll of Gascoigne (*Prynne*, Westminster, Dec. 1st).<sup>2</sup> In the eleventh year of his reign (1285) he re-appointed for three years the said Ralph de Merlawe, and also appointed a proctor to attend the Court of Rome.<sup>3</sup>

So far as the Royal Free Chapel of Hastings is concerned, records of the strife between the King and the ecclesiastical authorities begin in the first year of Peckham's archiepiscopate. In that year the following petition was presented to the King in Council :—

William de Lewes and Walter de Tothill, Chaplains and Canons of your free Chapel of Hastings in residence there, point out, so please your excellency, to you that the Lord Bishop of Chichester and his officials, do not cease grievously and unjustly to molest them, to wit by summoning them to their synod, by placing an interdict upon the churches belonging to your said free chapel (!) so that they cannot bury the dead, nor baptize children, nor celebrate mass in the same churches, to their no slight loss and trouble, and the very great prejudice and contempt of your aforesaid Chapel which, by the Authority of the Apostolic See, is exempt from molestations of this sort. A remedy for this is sought. Furthermore our Lord the King conferred upon the said Walter de Tothill, the prebend which Geoffrey de Wynton held, with all its appurtenances, save and excepting a house which the said Geoffrey built for himself and his successors : wherefore he asks for a letter from our Lord the King, to the Bailiff of Hastings, that he do him full justice in this matter, because he has nowhere to lay his head. Our Dean wishes to resign, and wishes to be Dean no longer.

To which petition this answer is endorsed. "In Chancery. Let a writ be sent to the Bishop ordering him to desist."

Notwithstanding the claims by the King, the presentations to the prebends of the Royal Chapel of Hastings continued to be made for a time to the Bishop ; for we find that in 8 Ed. I, the presentation of Robert Eylward was so made with respect to the prebend of Bulewaresheth, "said to be void and in the King's gift" (*Report of the Deputy-keeper of the Records*).

These complaints and quarrels extend throughout the reign of Edward I., not only with reference to Hastings, but to the Royal Chapels generally throughout England. The proceedings at Hastings in many respects provide a very good object-lesson in the history of the subject, as the documents are comparatively well preserved, and fairly well connected. These documents were in part selected by Prynne in his History of the Papal Usurpation, perhaps rather unhappily for the proof of his case. The remainder of the history of this subject, so far as the

<sup>1</sup> In 1279 the Archbishop empowered the Archdeacon of Lewes to levy fines imposed for non-residence and other causes at the visitation—on the priory and convent of Michelham and Hastings (*Saltwoode*, 5. *Id.* Sep. fo. 202. *Archbishop Peckham's Registers*).

<sup>2</sup> The Ralph de Merlawe here mentioned is referred to in the Constitutions of the Chapel.

<sup>3</sup> Acton Burnell, October 20th, and Overton, Sept. 28th. 12 Ed. I. (*Prynne*, 324).



## Constitutions of the Chapel

"Royal Chapel of Hastings" is concerned, will appear in its proper chronological order in this work.

### VISITATION BY THE KING OF THE ROYAL FREE CHAPEL OF HASTINGS

#### COMMISSION TO WILLIAM DE FAVERSHAM.

The King to his beloved Brother William de Faversham, Greeting etc. Confiding especially in your skill and circumspection, we entreat you in the Lord, That on the approaching Sunday at Hastings, you visit personally our Chapel of the Blessed Mary within the same place, carefully, both in respect to persons and things, in order that there may be corrected and reformed in the same, whatsoever you may find to need correction and reformation (without any oath). As also, that there may be provided from among the brethren of the same Chapel, some fit and discreet person to be dean thereof, to govern and direct the same, and perform the other duties appertaining to such office, subject to our royal ordinances. Witness the King at Westminster, May 7, an. reg. sui 30 (*Pat. Roll* 3 Ed. I. M. 25).

#### APPOINTMENT BY WILLIAM DE FAVERSHAM MADE IN THE FREE CHAPEL AFORESAID UPON THE CONSTITUTIONS AND CUSTOMS TO BE OBSERVED IN THE SAME.

This is the constitution of the Church of Saint Mary in the Castle of Hastings, to wit, that the Sacrist, from the feast of Saint Michael up to Easter, shall ring at Matins at the dawn of the day, the first sign for the space of the journey from the church of Saint Michael up to the church of Saint Mary or longer. The interval shall be at the will of the Sacrist of just moderation. The second ringing of the sign half of the quantity of the first sign. The ringing of the third sign shall be half the quantity of the second sign. The classicum shall be rung according to what the dignities of the feasts shall require. At the classicum, all ministering in the church shall assemble, and the lights shall be burnt throughout the church, and the priest shall begin Matins *Domine labia mea*, standing with his face towards the East, and all ministering in the choir likewise. And so it is to be done at the beginning of all the Hours in the choir, and so let them stand with face turned towards the East until *Alleluia* be said, after *Gloria Patri*, and then let every one turn himself<sup>1</sup> . . . against his neighbour. And when he shall not come before *Gloria Patri* of the first psalm, let him lose commons of that day. And if he shall do so customarily, let him be suspended from entering the choir. And if hereupon he shall be incorrigible, let him be retired from the same church. Immediately after Matins it shall be rung three times in one sign for Mass of the Blessed Mary. The priest vesting himself in priest's vestments, let there be begun speedily Mass of the Blessed Mary. After the offertory, let the priests who shall wish first celebrate in the name of God, but let it not be omitted that the priest who ought to celebrate High Mass be reserved. And when need shall be, if any anniversary shall fall, another priest shall have administration for the deceased after Prime at a convenient hour. Prime shall be rung for the space of a convenient journey of one league, which finished, a moderate interval being made, small prime, and all shall assemble. After the ringing is finished there shall be begun *Deus in adjutorium*, and he who shall not come into the choir before *Gloria Patri* of the first psalm, shall lose his commons as above. Likewise at Vespers. Let all remain for the office of God and of the Church, unless there shall be iust and probable cause, and this by leave of him whose concern it is to give it, or who may do so of right. Let all enter the Chapter.<sup>2</sup> Prime being said, and if there shall be anything to be corrected, let it be corrected there. In the exit of the Chapter, if there shall be mass to be celebrated for any deceased, let it be celebrated, and immediately after the celebration Tierce shall be rung and commenced. Tierce being sung, the priest shall vest himself and his ministers at High Mass. The Stipends of the Vicars not residing shall be divided according to the use of the Church between the Canons and the Vicars residing there. Also the defaults of Vicars shall be written by two vicars of the said church sworn thereupon, and shall be read in Chapter, and their commons according to residence shall be distributed by them in the said church, lest any contention arise between the

<sup>1</sup> Parchment perished.

<sup>2</sup> Note. As to what was usually done in the Chapter, see title, "*Chapter House*," architectural description, *post*.

## Knights, Fees and Castle Guard 1279

parties upon the commons which they have not deserved. Also the Proctor or Dean of the said church, with the counsel of his brethren and those chiefly residing, shall rightly ordain all things which shall be ordained for the honour of God and the advantage of the said Church. In witness whereof Brother W. de Feversham. . . .<sup>1</sup>

### EDWARD I (*continued*)

In the year 1279 a scutage of 40 shillings was taken on account of the Welsh war in 1277 (*Ann. Wykes*, p. 274; *Madox Excheq.*, p. 449). On March 12th in the same year a commission to examine into the knights' fees and other liberties throughout the kingdom was given by the King at Woodstock. In the same year, too, was passed the famous statute, "De Religiosis" (Council of Reading, August, 1279). The earliest results of the enquiry as to the knights' fees may have once more opened the eyes of the sovereign regarding the loss of services due to him, by the continual granting of estates to persons and corporations incapable of fulfilling the military services and other obligations incident to the tenure of land. In consequence of the aforesaid commission an "extent" of the Honour of Hastings was made in the following year (1280), in the absence of John, Duke of Brittany, who had left for the Holy Land, having been exempted from military service during his absence for five years (June 4th, 1279). The particulars of the "extent" of this Honour taken on this occasion were as follows:—

#### AN EXTENT OF THE HONOR, ETC., OF HASTINGS, TAKEN 8 EDWARD I. (1279-1280), MADE BEFORE JOHN DE WANTON AND OTHERS.

It was certified on oath (as to the Rape generally)—that there belonged to the barony of Hastings fifty-six knights' fees, with two of Thurrock, in the county of Essex; and these yielded per annum for the guard of Hastings Castle, £21 os. 9d.; that in the Rape of Hastings there were nine Hundreds and a half, which yielded of common fine<sup>2</sup> £31 2s. 0d.; a certain custom called Lastage<sup>3</sup> of Winchelsey was valued at 20s. per annum; the custom called Carror<sup>4</sup> at 9s. 9d. Of the remainder 16s. 5d. went to the aid of the Sheriff.<sup>5</sup> The pleas and perquisites of Courts of the said Hundreds<sup>6</sup> were valued per annum at £10. Sum total, £134 3s. 4d. In the whole, £64 8s. 11d.

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<sup>1</sup> Robert Ailberd has the King's letters of presentation to the prebend of Bolewareheth, which Henry (*sic*) of Wyndesore had in the King's Chapel of Hastyngs, vacant by the resignation of Laurence, and in the King's gift, and the letters are directed to the Bishop of Chichester. Witness the King at Lyndhurst, the 20th day of January (8th Edward I. *Ch. Mis. R.*  $\frac{4}{34}$ ).

Presentation to the Bishop of Chichester of Robert Eylward to the prebend of Bulewaresheth in the King's Chapel of Hastings. *Pat. Roll.* 8 Ed. I. M. 24 (16).

<sup>2</sup> "Common Fine is a certain sum of money which the residents in a Leet pay unto the Lord of the Leet, and it is called in some places Head-silver."—*Downs* 1641. *Termes de la Ley*.

<sup>3</sup> Lastage is a custom challenged in fairs and markets for carrying of things where a man will. Lastage free is to be exempt from that custom.

<sup>4</sup> Licenses granted in respect of cartage.

<sup>5</sup> Sheriff's Aid (*Auxilium Vicecomitis*): the aid or customary dues paid to the Sheriff for the better support of his office.

<sup>6</sup> Pleas and Perquisites of Courts: plea, a suit or trial; whence pleas of the Crown, common pleas, pleading, pleader, etc. The perquisites of Courts were the fees, etc., arising on occasion of such pleas or trials.



## Enumeration of the Prebends 1279

The said fifty-six knights' fees and a half are worth one year with another as extended by estimation—as in wards<sup>1</sup> reliefs and escheats—£64 8s. 11d.

The Church of Burghes (Burwash) belongs unto the gift of the Earl of Richmond, and is worth per annum forty marks, and is so valued in the Extent, or according to the accustomed estimation at 40s.

The Prebend of Wertling, Hoo, and Nemfend (Ninfield) is worth per annum thirty marks.

The Prebend of Briceling (Brightling) is worth per annum twenty-four marks.

The Prebend of Ywherst is worth per annum twenty-five marks.

The Prebend of Pesemershe is worth per annum sixty marks.

The Prebend of Bolewarheth is worth per annum twenty shillings.

The Prebend of Marlpas is worth per annum half a mark.

The Prebend of Stone is worth per annum forty shillings.

The Prebend of Croherst is worth per annum fifteen marks.

On an Inquisition taken about this time it was also certified that Bergherster Bivelham, Hamerden, and Winchelsey were appurtenances to the Barony of Hastings, to which Rape also belonged nine Hundreds and the following Prebends, etc., namely, Burgherst Church, Wrotling, Hoo, Nimenefeld, Braceling, Ticehurst, Pesemershe, Bolwareheth, Malrepas, Stone, Crowherst, and Rollesham manor. (*Inquis. n. 50.*)

And among other records about the same period, namely, 13 & 14 Edward I., it is said in a precept on the accounting of Richard de Pevensey, Sheriff, for rent due to the Exchequer on the morrow of the most Holy Trinity, that there was reckoned to be owing from him £20 for suit of court for five knights' fees of the Honour of Hastings, which were in the hands of John of Britanny, which suit of court<sup>2</sup> belonged solely to the Sheriff's Turn,<sup>3</sup> and was then subtracted by the said John conformably (as it was said) to the King's grant, namely, for five years—and that he owed £6 3s. 8d.

In the year 1282, a fresh war breaking out with the Welsh, the King was again obliged to raise money; and on March 28th he seized all the funds collected by the clergy for the Crusade (*Fæd.*). On October 8th it is recorded that

<sup>1</sup> Wards: before the Statute 12 *Car. II.* all the heirs of the King's tenants, who held *in capite* or by military service, during the nonage or minority, were in the ward or custody of the King and others by him appointed. The King disposed of and committed these wards to others sometimes as above.

<sup>2</sup> Suit of Court—*sectam ad curia*—was suit and service done by tenants at the court of their lord, and was common to most manors.

<sup>3</sup> Sheriff's Turn: a court kept twice a year as the court-leet of the county, at which all free tenants were obliged to do suit and service, except those who compounded for the privilege of sending only one person to attend the sheriff, to represent and excuse the lord and tenants of the manor.

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1279-1280. *Pat. Roll*, 8 *Edward I. m. 24* (16).

Presentation directed to the Bishop of Chichester, of Robert Eylward to the Prebend of Bulewarsheth, void and in the King's gift.

1280-81. *Pat. Roll*, 9 *Edward I. m. 14*.

Confirmation of Charter of Nicholas de Araz, Canon of the Church of St. Mary, Hastings, confirming grant by Nicholas de Punchard, formerly Canon, to Walter de Pudylond, of the land which was Elfer's which Edwin de Grava held in Ywherst (Ewhurst), called *proparte* Shoreham, *proparte* Blocyillond, and *proparte* Elfreselond, to hold to Simon de Shoreham, clerk at 6s. yearly, at his Court of Pralle at Ywherst, and to the said Church of St. Mary of Hastings half a pound of wax for light. Saving the service of our Lord the King, and the Count.

1291. 28 *May*. As to Chitelbirch in Sedlescombe, see note 4, *Richard II., post*.

## Visitation of the Chapel 1286

Queen Eleanor, Dowager Queen of England, requested the King to appoint Nicholas de Stapleton to act as attorney of John, Duke of Brittany, who was travelling in a distant country. (*Letergetsele, Fœd., R. I. 617. Ex. Litt. Autogr. 10 Ed. I.*)

On February 12th in the following year (1283), the King granted to John of Brittany (son of the Duke) the liberty of the Honour of Richmond at £20 a year. (*Rhuddlan, Fœd., R. I. 626.*)

The year 1285 saw the enactment of the great "Second Statute of Westminster," known as "De Donis," and the Statute of Winchester, dealing with the action of the Hundreds, the hue and cry, the watch and ward, and the fyrd and assize of arms.

From the Escheat Roll it would appear that John, Duke of Brittany was now deceased. He is believed to have died on the 8th of October, 1286. He was buried in the Abbey of Notre Dame de Prières, and was succeeded in his "dukedom" by his son, the Earl of Richmond (John of Brittany).

In the year 1286, in accordance with the duties of his appointment previously mentioned, Ralph Merlawe ordered the following articles to be observed respecting the Chapel at Hastings Castle, namely :—

### THE RULE OF THE CANONS OF THE ROYAL FREE CHAPEL OF HASTINGS AND THEIR SERVICES.

These are the Articles which Master Ralph de Merlawe, clerk of the illustrious King of England and proctor and warden of his free Chapels in the Kingdom of England by the Dean of Hastinges for the time being in the stead and authority of our said lord the King orders to be firmly and inviolably observed.

In the first place that in the Free Chapel of our lord the King at Hastings, Divine worship

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The King to the venerable father in Christ, S., Bishop of Chichester, greeting. We present to you, to the prebend which Iterymus de Ingelisma held in our chapel of Hastinges, vacant and in our gift, our beloved clerk John de Magnato, commanding you to induct the said John into bodily possession of the said prebend after admitting him to the same, and to cause a stall in the choir and a place in the chapter to be assigned to him according to custom. In witness, etc. Witness the King at Flynt, the 8th day of September. (12 Edward I. *Ch. Mis. R. 34.*)

In 1284 John de Magnato, King's clerk, was presented by the King to the prebend lately held by Iterius de Ingolisma in the King's Chapel of Hastings (*Pat. 12 Edward I. m. 5*), given at Flint.

Master John Petit has the King's letters of presentation to the church of All Saints of Hastinges, vacant and in the King's gift by reason of the Abbey of Fécamp being vacant in the King's hand, and the letters are directed to R., Bishop of Chichester. [Witness] the King at Haverford, the 28th day of November. (12 Edward I. [1283]. *Ch. Mis. R. 34.*)

In 1285 a prebend in the church of St. Mary, Hastings, was granted to Nicholas de Sprouton, King's Chaplain, late of Hugh Kendal, King's clerk resigned. (*Pat. Roll, 13 Edward I., m. 29, January 2, Bristol.*)

The King granted his clerk, William de Birlay, the prebend in the Church of St. Mary, Hastings, "late of Geoffrey de London, deceased." (*Pat. Roll, 14 Edward I., m. 23.*)

William de Burlake has the King's letter of presentation to the prebend which Geoffrey de London, clerk, lately deceased, had in the Church of Hastinges, vacant by the death of the said Geoffrey, and in the King's gift, and the letters are addressed to the Bishop of Chichester. Witness the King at Merleberghe, the 23rd day of January. (14 Edward I., *Ch. Mis. R. 34.*)

Lord Giles de Audinarde has the King's letters of presentation to the prebend of Pesemersshe, and the letters of presentation are directed to Lord John, Archbishop of Canterbury, Guardian of the Spiritualities of the Bishopric of Chichester, the see being vacant by the death of S., Bishop of Chichester. Witness the King, etc. (15 Edward I., [1286-87] *Ch. Mis. R. 34.*)



# The Rule of the Canons and their Services

shall be plainly and fully and devoutly observed, and as much . . . <sup>1</sup> is as well by the Canons as by the Ministers of the said Church.

Also that none of the Ministers of the Church, save by leave of the Dean for the time being asked and obtained, shall absent himself; or if he shall be absent beyond fifteen days, daily distributions shall be withdrawn from him from the day of his absence up to the end of the month, and [daily] distributions shall be reserved for the disposal of the Dean for the time being. Also if any of the Ministers residing shall be absent from the Matins, Masses at canonical hours, and . . . <sup>1</sup> the daily distributions of the eight days ensuing shall be withdrawn unless he shall be hindered by lawful impediment or shall have full leave from the Dean or his vicegerent, to the end that he shall absent himself, or may be absent, in the premises or any of the premises. Also that the Vicars and Ministers, ministering and assembling in all canonical hours, shall go in due habit and especially in copes as is fitting. Also that none of the Vicars shall enter the choir in the hours, or in celebrations of Masses, save in becoming habit as above is expressed. Also that no Canon or Minister shall be [accountable] to any Ordinary, in making citations or any corrections, in prejudice of the liberty of the Chapel aforesaid. Also that all injury and strife shall cease, as well between the Canons as the Ministers of the Church abovesaid; and that the Dean shall punish those stirring quarrels murmuring and contentious by withdrawal of daily distributions, as shall seem to him to be expedient, according to the quantity and quality of the offence in such wise committed. Done at Hastings on the morrow of Palm-Sunday in the year of our Lord one thousand two hundred and eighty-six.

Also let it be inquired whether any Canon permits any houses appertaining to any prebend whatsoever to be destroyed or badly kept. Also whether there is any one in the Chapel who frequenteth unlawful watches or taverns. Also whether there is any one who is noted for incontinence, fornication, or adultery. Also whether there is any one who sows discord between the Canons or Ministers of the said Chapel. Also whether there is any one who hath defamed and is accustomed to defame any one for any false crime. Also whether there is any who arouseth quarrels or carrieth arms at an undue hour or in an undue place, and is in the habit of roving about. Also whether the lands, possessions, or rents of the said Church be aliened; by whom, for what time, and who holds them. (*Misc. Chanc. Rolls*,  $\frac{1}{2}$ 8, m. 3.)

In May the King went to Gascony, and did not return till 1289.

Stephen of Penecestre had been appointed Constable of the Castle of Dover, and Warden of the Cinque Ports; and a mandate was sent to the knights, freeholders, and other tenants of the Rape of Hastings to take up arms whenever summoned to do so by the said Stephen, for the custody of the town and the security of the peace. (*Pat. Roll*, 15 Edward I., m. 6.)

In 1288 Edward took another vow of Crusade, and obtained a grant of an ecclesiastical tenth from his instigator, Pope Nicholas IV., for six years. (17 Edward, I., *Rot. Vascon.*, p. 1, m. 3.)

The taxation of Pope Nicholas is a most important record, because all the taxes, as well to our Kings as the Popes, were regulated by it until the survey made in the twenty-sixth year of Henry VIII.

The following is a translation of so much of the record as relates to our subject:—

## ARCHDEACONRY OF LEWES.

### DEANERY OF HASTINGS.

	£	s.	d.
Church of Icklesham . . . . .	6	13	4
The Vicar of the same . . . . .	16	13	4
Church of Rya (Rye) . . . . .	5	0	0

<sup>1</sup> Parchment perished here.—C.D.

In 1287, also, Henry de Wheteleye, King's clerk, was presented to the prebend late of Nicholas de Arraz in the church of Hastings. (15 Edward I. m. 15, Feb. 8, *West.*)

# Taxation of Pope Nicholas 1291

	£	s.	d.
Vicar of Rya (Rye) . . . . .	10	0	0
Church of Yhm (Higham) . . . . . not more than	4	13	4
Church of S. Thomas of Winchelsee . . . . .	10	13	4
Church of S. Giles . . . . . not more than	6	13	4
Church of Pette (Pett) . . . . . not more than	5	0	0
Church of Farnligh (Fairlight) . . . . . not more than	6	13	4
Church of Gessling (Guestling) . . . . .	13	6	8
Church of Ore . . . . . not more than	5	6	8
Church of Helington (Prebend) (Holington). . . . .	4	6	8
The Vicar of the same . . . . . not more than	4	13	4
The Church of Boxle (Bexhill) is in the hands of the Bishop and is taxed with his Temporalities . . . . .			
The Vicar of the same . . . . .	10	13	4
The Church of S. Leonard . . . . . not more than	4	13	4
The Church of S. Margaret, S. Michael, and The Blessed Peter of Hastings . . . . .			
	10	0	0
The Church of S. Andrew before the Castle . . . . .	4	13	4
The Church of S. Clement . . . . . not more than	5	0	0
The Church of All Saints . . . . . not more than	5	6	8
<hr/>			
Making a total of . . . . .	£140	0	0

From which are subtracted, for benefices not exceeding the annual value of ten marks, forty-eight pounds as is shown in the above particulars, leaving a remainder of ninety-two pounds, the moiety of which is forty-six pounds, £46 *os. od.*—*Taxatio*, etc., 136.

## DEANERY OF DALINGTON.

	£	s.	d.
The Church of Battle . . . . .	5	6	8
The Vicar of the same . . . . .	13	6	8
The Church of Westefeud (Westfield) . . . . .	5	6	8
The Vicar of the same . . . . . not more than	6	13	4
The Church of Pesemershe (Peasemarshe) with its portions . . . . .	13	6	8
The Church of Bockeleye (Beckley) . . . . .	13	6	8
The Church of Northmme (Northiam) . . . . .	13	6	8
The Church of Idenn (Iden) . . . . . not more than	4	6	8
The Church of Salhurst (Salehurst) with Udem's (Udimore) . . . . .	24	0	0
The Church of Mundefeud (Mountfield) . . . . .	10	0	0
The Church of Iwehurst (Ewhurst) and Bodihm (Bodiham) . . . . .	4	13	4
The Vicar of Ywehurst (Ewhurst) . . . . .	13	6	8
The Vicar of Bodihm (Bodiham) . . . . . not more than	4	0	0
The Church of Brede . . . . .	8	0	0
The Church of Watlinton (Watlington) . . . . . not more than	4	13	4
The Church of Cattesfeud (Catfield) . . . . . not more than	6	13	4
The Church of Ticehurst . . . . .	26	13	4
The Vicar of the same . . . . .	8	0	0
The Church of Crowhurst (prebend) . . . . .	4	6	8
The Prior of Hastings in the same . . . . .	2	13	4
The Church of Dalinton (Dalington) . . . . .	5	0	0
The Church of Essheburnehmme (Ashburnham) . . . . .	10	0	0
The Vicar of the same with Penhurst . . . . . not more than	6	13	4
The Church of Burgherss (Burwash) . . . . .	20	0	0
The Church of Echingehehm (Etchingham) . . . . .	8	0	0
The Church of Walbiton (Warbleton) . . . . .	5	0	0
The Church of Esthurst (Herstmonceux) . . . . .	20	0	0
Prebend of Wirtlinge (Wartling) . . . . .	16	13	4
Prebend of Hou (Hooe) . . . . .	16	13	4
Prebend of Nemenefeud (Ninfield) . . . . .	16	13	4
Prebend of Brightling . . . . .	13	6	8



## Walter Langton a Prebendary

	£	s.	d.
The Church of Pladeith (Playden) . . . . .	6	13	4
The Church of Sedelescombe (Sedlescombe) . . not more than	4	13	4
The Vicar of Pesemershe (Peasemarshe) . . . not more than	5	6	8
The Vicar of Salhurst (Salehurst) . . . . .	6	13	4
The Vicar of Udme (Udimore) . . . . .	5	6	8
The Vicar of Burg'ss (Burwash) . . . . .	4	6	8
The Vicar of Dalinton (Dalington) . . . . .	4	6	8
The Vicar of Hurst (Herstmonceux) . . . . .	6	13	4
The Vicar of Wirling (Wartling) . . . . .	6	13	4
The Vicar of Hou (Hoo) . . . . .	4	13	4
The Vicar of Nemenseud (Ninfield) . . . . .	4	6	8
The Vicar of Hethfeud (Heathfield) . . . . .	8	0	0
Making a total of . . . . .	<u>£397</u>	<u>13</u>	<u>4</u>

[The note here says £480 6s. 8d.]

From which are subtracted for benefices not exceeding the annual value of ten marks, £92 13s. 4d., as is shown in the above particulars, leaving a remainder of three hundred and five pounds, the moiety of which is £152 10s. 0d.—*Taxatio*, etc., 137.

In 1289 the King granted his pardon to John, Duke of Brittany, Earl of Richmond, for his absence from three expeditions against the Welsh, and from scutage therefor. (July 28, *Amiens, R. Fœd.*, I. 711.) In the next month thereafter Edward was forced by his barons, who refused him further aids, to return home. The following year, 1290, saw the great enactment called "*Quia Emptores*," an act directed against the practice of sub-infeudation, by which practice the King and the tenants in chief were endangered in losing various feudal incidents. Like the former statute, "*De Religiosis*," its effect was principally felt by the ecclesiastical authorities.

We have in this year another example of an appointment to a prebend of the Royal Chapel of Hastings. It takes the form of a mandate addressed to the Dean and Chapter, to assign a stall in the choir and a place in the Chapter to the famous Walter Langton, clerk of the King's household,<sup>1</sup> who had been presented

<sup>1</sup> Afterwards Bishop of Coventry and Lichfield; born at Langton West, Leicestershire. He was nephew of William de Langton, Dean of York. He was at first a clerk in the King's Chancery, and afterwards Keeper of the Wardrobe. Walter was a favoured Councillor of Edward I., and was made Canon of Lichfield, and papal chaplain and Dean of Bruges. His pluralities were the subject of some complaint. He was judge in the suit respecting the Scottish succession. On 28th September, 1295, he became Treasurer, and on the 20th February, 1297, was elected as Bishop of Lichfield (or, as it was commonly called, of Chester); consecrated on the 23rd December. In 1300-2 grave charges were made against him of incest, witchcraft, and simony, but he was acquitted, Archbishop Winchelsea taking a strong line against him. In June, 1303, Edward I. made him the principal executor of his testament. He subsequently induced Pope Clement V. to suspend Archbishop Winchelsea, and Walter now became Edward's chief minister. He seems to have been present at the death of the King. Edward II. restored Archbishop Winchelsea and imprisoned Langton, it is believed by Gaveston's advice (1307). He was freed in 1312, and restored to the treasurership. He died on the 9th November, 1321, and lies buried in his Lady Chapel of Lichfield.

Walter de Totehell has the King's letters of presentation to the prebend of Wertlingh and Hoo, which Geoffrey de Wynton formerly had in the church of Hastyngs, vacant by the death of the said Geoffrey. Witness the King at Mons Aureus in Ireland [*sic*. N.B.—At this date Mr. Stevenson's *Itinerary* says the King was at "*Montem Maurum*" ? Arragon] the 28th day of September. (16 Edward I. [1288], *Ch. Mis. R.* 1/4.)

18 Edward I. Commission to J. de Lascy and William de Echinghame (Steward of the

## John (II.) Count of Eu

to the church of Thurrock, a prebend of the said chapel, by John of Brittany, kinsman of the King.

A like mandate was addressed to the Constable of the Castle of Hastings (given at Westminster, June 9th, 1290. *Pat. Roll, m. 25*). It is evident that Walter was a pluralist, for he was obliged to obtain the Pope's dispensation to hold the prebend in Hastings. The dispensation was granted at the King's urgent request. (3 Nicholas IV., Orvieto, 6 Id. Oct. f. 88, 1290.)

He seems to have been somewhat restless and ambitious, for in the following year we find the Pope making at first a reservation, collation, and provision at the King's request to Master Walter de Langton, with a license to retain (*inter alia*) the canonry and prebend of Thurrock in Hastings. A concurrent mandate was issued to the Dean of St. Paul's; also a mandate to one Master Geoffrey de Vacano (1291, 8 Id. Mar. 3, Nic. IV.). Notwithstanding all this, he obtained a further dispensation at the King's request, within a year, with respect to another benefice, and he offered to resign the prebend of Thurrock in Hastings. (4 Nicholas IV., St. Mary Majors, 2 Id. Feb.)

In the same year (6 Non. Oct.) the Pope again granted him a further dispensation. as he had accepted (*inter alia*) the prebend of Thurrock in Hastings (described as a prebend in the Diocese of London). He is described in the dispensation as a deacon and papal chaplain. A note at the end of the document informs him that, on receipt of this, he is with the King's leave to come to the Pope.

It appears that John(II.), Count of Eu, who, saving any escheat or forfeiture, was now the true heir to the Castle and Honour of Hastings, had frequently petitioned the King to deliver up the same according to the conditions arranged between his great-grandmother, and Henry III., in the year 1225 (see p. 85). The descent shewing how this John was heir of the said Countess Alice may now be given. On the death of the Countess Alice, about the year 1247, her eldest son, Ralph III., Count of Eu, succeeded to the county of Eu; but he survived his mother only a few months, and as England was then at war with France, any claim for the return of his English Honours would have proved hopeless. His first wife Joan, daughter of Eudes III., Duke of Burgundy, had died without issue in 1224. He had married secondly Yolande, daughter of Robert II., Count of Dreux (*L'Art de V. D.*, xi. p. 467), having by her a daughter, Mary. Yolande had died before 1240, and he had married thirdly Philippa, daughter of Simon Dammartin, Count of Ponthieu, but had no issue by her. Philippa was sister to Jane, the wife of Ferdinand, King of Castile, and the mother of Eleanor, first wife of Edward I. Count Ralph III. died before August, 1248, leaving Mary, his daughter by Yolande, his sole heiress. She was a great heiress, and was given in marriage by Louis IX. of France to Alphonse de Brienne, son of John, King of Jerusalem. Alphonse is styled Count of Eu early in 1249. He was Grand Chamberlain of France in 1258.

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Rape) to enquire touching a complaint of the abbots of Battle and Bekeham, the priors of Okeburn, Lewes, and Hastings, and others holding lands and tenements round the marsh of Pevensel—that whereas Roger de Leukenore and Luke de la Gare, commenced a bank (*wallium*) across the haven of Pevensel, and a sluice (*unam exclusam*), whereby the fresh water will be prevented from flowing on its course through to the said marsh to the sea by the said haven, to the great danger of the inhabitants round about, and the frequent inundation of their land with fresh water, (*Pat. Roll, m. 16.*)



## Petition for Restoration of the Rape

King Henry III. visited Paris in October, 1259, after the peace, and King Louis made a special request to him that he should restore to the Count of Eu, the Honour of Hastings, and Tickhill, which were the Count's wife's inheritance in England. Both the Count and his brother were present when the request was made, and Henry III. answered—"When the King of France restores to Englishmen their lands in Normandy, I will give back to Frenchmen their lands and tenements which were theirs in England." This of course had reference to the French king's forfeiture of the lands in 1244 (see p. 91). The Countess Mary died forty-seven years after her marriage. John II., Count of Eu, was the Countess Mary's heir, but did not succeed to the county of Eu till Alphonse's death, August 25th, 1270. This John, Count of Eu, who was on friendly terms with the English court, presented the following petition which is preserved in the Parliament Rolls 18 Ed. I. as follows :—

### PETITION TO PARLIAMENT.

John, Count of Eu, appeared before our lord the King and his Council at his Parliament after Easter in the 18th year of his reign, etc., and petitioned that our said lord the King would restore and give up to him the Castle of Hastings and Tykehill, with their appurtenances ; which, as well as other lands, were of Alice, late Countess of Eu, his great-grandmother, whose heir he was ; and of which the same Alice was seized in her lordship as of fee and right in the time of the lord Henry, father of our lord the present King. And he moreover said—that the aforesaid Alice the last time that she retired from England, which was with the licence and permission of the Lord Henry the said King, to wit, in the ninth year of his reign, delivered up the said Castle of Hastings to the keeping of the said Lord Henry, until a peace should be firmly established between the said lord King Henry and the King of France and his, or so much longer as to him might appear meet : provided that then the said Castle of Hastings might be again delivered up to the said Countess Alice or her heirs. It then proceeds to state, that King Henry, after such transfer made and during his whole reign, kept possession of the said Castle of Hastings and its appurtenances, as well as all other lands of her the said Countess which were in his kingdom of England ; and also that the then King Edward had in like manner held the same in his hands ever since his father's death, and detained from the late Count of Eu, father of the said John the said Castle ; and although often requested by the said John since, to render up the same, still continued to hold it from him as heir of the said Countess, etc. ; that by a certain writing chirographum<sup>1</sup> signed and sealed with the seal of the said King Henry, it was witnessed, that the said Countess Alice transferred to him the said King in the ninth year of his reign, the said Castle of Hastings, to hold in form aforesaid ; and it was further witnessed by letters patent of the same King Henry, dated in the twenty-sixth year of his reign, that the said King undertook the protection and defence of the men,<sup>2</sup> lands, goods, rents, and all other possessions of her the said Countess, etc. And forasmuch as it was manifest to the King and his Council, that answer ought to be made to the said John in the premises, etc., it had been certified to him—that when the King of France should restore to the subjects of England their lands in Normandy, then our said lord the King of England would restore and give up to the great men of the King of France their lands and appurtenances in England : that assurance had been made by the said King Henry to the deceased lord Lewis King of France, grandfather of the then King of France, in the presence of the lord John de Acre, as well as in the presence of the said John, Count of Eu, that after peace should be settled between them, the said Kings of England and France, the said Castle of Hastings, if required, should be delivered up to the father of him the said John, Count of Eu : but that notwithstanding this, and the agreement in writing of the ninth year of the said King Henry referred to, respecting the surrender of the said Castle, as also the engagement of the twenty-sixth year of his reign to

<sup>1</sup> *Chirographum* :—Any public instrument of conveyance attested by witnesses, was in the Saxon times called *Chirographum*, which the Normans styled *Charta*.

<sup>2</sup> *Homines* : all sorts of feudatory tenants.

## Pilgrims to Hastings and Bulverhithe

protect the said Countess's tenants and possessions, etc., the said Castle had been, and still continued to be, withheld, etc. And the said John contended—that the said Alice after having given possession to the said King Henry in manner stated, still continued to be seized of her lands and possessions in England, in accordance with the compact mentioned between them, nor was it made any condition of restoring them, that the King of France should deliver up in any part of his kingdom such lands as were in his possession preparatory to such restoration, etc. : and he therefore prayed restitution.

The answer to the petition was the same as that previously given to the French King in 1259 ; but the Count was graciously told that if and when such restitution did take place, the King of England would be more readily disposed to show favour towards him than to any other claimant. With his death in 1294, all claims for the Honour of Hastings and Tickhill, by the House of Eu, appear to have ceased.<sup>1</sup>

It will be noticed that the chief records which now descend to us (excepting documents of title) deal rather with the ecclesiastical history and the title of the Castle, than with its military history. Now and then we shall meet with a document showing, however, that the Castle was still held as a fortress ; and, as we shall see, the mandates order the Constable of the Castle of Hastings to give effect to the various appointments made by the King to the prebends within the Royal Free Chapel. A host of documents dealing with their ecclesiastical history now appear, which will throw a considerable light on the Church history of the time. Admiration cannot be withheld from the seemingly wonderful official organization of the Church at these early and unsettled periods, with respect to the smallest matters pertaining to ecclesiastical rule.

The records for the year 1291 provide us with certain typical and curious examples of the Papal administration, namely :—

The Pope grants a dispensation to “Robert Walteri, called Alward of Wydyhulhe, canon of St. Mary's Chapel, Hastings (already dispensed on account of illegitimacy), so as to be ordained and hold a benefice with cure of souls and to accept any dignity short of the episcopate.” (May, Orvieto, 4 Nicholas IV., f. 53, *Papal Reg.*)

Pope Nicholas IV. also granted a relaxation of one year and forty days of enjoined penance to penitents who visit the Church of St. Mary, Hastings, and the Chapel of Bolewarhute (Bulverhithe), in the diocese of Chichester, on the feast of the Assumption, on those of St. Nicholas and St. Catherine and in their Octaves. (Non. June, Orvieto, f. 53*d*.)

Then follow two appointments in the new form adopted by Edward I. on the assumption that the Church of Hastings was a Royal Free Chapel.

The King to the Constable of his Castle of Hastyngs, Greeting. Know that we have given and granted to our beloved clerk, Walter de Agmetesham (*sic*), that prebend with its appurtenances in our Chapel of our Castle aforesaid, formerly held by William of Dover, lately deceased, vacant and in our gift, to have with all things to the said prebend belonging, and therefore we command you to cause the said Walter to have full seisin of the prebend aforesaid with its appurtenances, without delay. In witness, etc. Witness the King, etc., at Soreham (*sic*, i.e. Norham), the 21st day of May. (19 Ed. I. [1291], *Ch. Mis. R.* 74*+*.)

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<sup>1</sup> In 1294 Stephen Sprote was master of a ship called *La Bayade*, and Richard Mileward was Constable of the *St. Anne*, being both Hastings ships employed in the service of the King's brother going to Gascony.



## Irregular Appointments to the Chapel

"Mandate to the Constable of the Castle of Hastings to give Walter de Agmodesham, King's clerk, full seisin of the prebend in the Castle, late of Walter de Dovor, which the King had granted to the late Walter." (*Pat. Roll, m. 14*, given at Norham, 31st May, 1291.)

A similar mandate was doubtless sent to the Dean and Chapter, as in the following:—

"Grant to Master John de Cadamo (of Caen) (this was the prebend of Stone) of the prebend in the King's Free Chapel, late of Master William Baucean deceased, with a mandate to the Dean and Chapter of the said Chapel to admit him, also mandate to the Constable of the Castle to give him full seisin. (11th Dec. 20 Ed. I., *m. 28*, given at Stepney, ? Stubenheth, 1291.)

["Grants—made by King Edward, of which the Bishop complains."] Master Edmund of London has the King's letters of presentation to the church of Bralyng, and the letters are directed to the Dean and Chapter of Hastyngs Castle. Witness the King at Norham, the 15th day of August. (20 Ed. I., *Ch. Mis. R. 34*), [1292.]

Presentation of Master Edmund de London, to the prebend of the King's Free Chapel of Hastings, void by the death of Master John de Engolisma, directed to the Dean and Chapter of the said Chapel. Mandate to the Sheriff of Sussex to give him full seisin. By the King at Northallerton. (20 Ed. I., *Pat. Roll, m. 5*.)

In 1292 the Church lost by death its intrepid champion, Archbishop Peckham. John, Duke of Brittany, it is said was taken prisoner in 1292 at Bordeaux, by the French.

This fact is so stated by a careful writer, Mr. W. H. Blaauw, M.A., F.S.A., vol. VI., *Sussex Arch. Coll.*, p. 49, but he gives no reference, and the present writer does not know his authority for the statement. He continues that "Edward I. had then sent £1000 to his beloved nephew until better provision could be made." The nephew here referred to was probably John, the second son of the Duke—the King having seized the Duke's English estates, as the latter was now in the power of the King of France. Some arrangement was come to between the French King and the Duke, the latter probably acknowledging allegiance to the former (see *post* 1297, p. 136).

In the year 1293 a great dissension arose between the English and the Normans,

for the natives of the sea-coast of Normandy, in the violence of their rage or ignorance, slew some of the English by different kinds of death, and hanged others to the yards of the masts of the ships, together with some dogs, at which the barons of the Cinque Ports were indignant, and speedily equipped their ships with all necessary naval appointments to avenge the injury done to the English. And passing over the swelling back of the sea with a numerous fleet, they slew with the sword their enemies who came to encounter them, and threw their carcasses into the sea, without respect to their rank, and did not let one single survivor escape, and brought back their vessels and baggage and wines, and other necessaries to their own homes, and all the contents of their ships, dividing the ships and their spoils among themselves. (*Mat. West.*, 1293.)

The King refused to share in the plunder, and repudiated any responsibility in regard to this matter. It led to considerable disturbance on the coast, the English prevailing at sea, and was ultimately followed by a war between the Gascons and the French. As Edward did not pay attention to Philip's summons to Paris to answer for the misconduct of the Gascons, the French King declared Edward's fiefs confiscated. War was agreed on at the Parliament holden on June 6th, 1294.

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The King gave and granted to his beloved Thomas de Repe, chaplain, the prebend of Marlepas with its appurtenances, which Ivo Marlepas had in the King's Chapel of Hastyngs, vacant by the death of the same, in the King's gift, and command was therefore given to the Dean and Chapter of the King's Free Chapel aforesaid to assign a stall in the choir and a place in the chapter to the said Thomas, by reason of the prebend aforesaid, as is customary. In witness, etc. Given at St. Albans, the 15th day of February. (22 Ed. I. [1294], *Ch. Mis. R.*, 34.)

## Taxation of the Clergy

On June 14th the writs were issued, summoning all persons owing military service to meet the King at Portsmouth, to take ship with him for Gascony. (*R. F.* I, 801.) John of Brittany came to Portsmouth, and was appointed the King's lieutenant in Gascony (July 1st). On July 3rd he and others received powers to treat of a league between the Kings of England and Castile, and (July 9th), the said John was further empowered to treat with all who would enter into a league with King Edward, with plenary authority to form an alliance with the Count of Foix.

On July 24th, on going to Gascony, he received a letter of credence addressed by Edward to James, King of Arragon.<sup>1</sup>

It was in this year (22 Ed. I.) that an *inspeximus* of the Charter of Henry Count of Eu (temp. Hen. II.) was given by the King (see p. 59 *ante*). The deed commences "Edward, etc. We have seen the deed which Henry Count of Eu, made to the Church of St. Mary at Hastings (which is our Free Chapel) and to the Canons of the same Church in these words." (Here follows the recitation of the Charter).

The outbreak of war in Wales altered considerably Edward's plans. His fleet kept up a sanguinary and intermittent, more or less successful, warfare with the French. But, on the whole, the campaign was disadvantageous to England; for no sooner had Edward quelled the Welsh rebellion, than Scottish troubles attracted his attention to the North. These wars naturally occasioned enormous expenditure, and the King assembling the clergy and laity at Westminster, on the vigil of St. Matthew, demanded from the clergy a moiety of one year's income. The demand was so excessive that the Dean of St. Paul's is said to have expired from fright. "He became suddenly mute, and losing all the strength of his body, he fell down before the King and expired" (*Mat. West.*, 1244). On Sept. 30th certain prelates were ordered to collect the last tenth of the Holy Land taxation "granted by the clergy to the King" (*Pat. Rolls*, 1294). Among others, that of the Free Chapel of St. Mary at Hastings, including Edmund de London (the Dean?) were protected for one year, having granted to the King for that year a moiety of their benefices and goods. In the same year (1294) Master Robert of Winchelsea, Archbishop-elect of Canterbury, was confirmed in his new diocese, and consecrated by Pope Celestine.

The Welsh war lasted till May, 1295, and the year 1294 closed with a fresh outbreak in Scotland. The naval war in the Channel still continued, Dover being raided by the French sailors. They wrought great havoc, but retired with considerable loss to themselves.

During the next few years the constantly recurring wars between Edward and

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<sup>1</sup> Most of these documents were issued from Portsmouth, see *Rymer's Foedera*.

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To this year the following records belong. March 6th.

*By the King at Conway.*

Grant to Thomas de Asshebourne, King's clerk, of a prebend in the King's Free Chapel of Hastings, lately held by Robert Aylward, deceased. (By privy seal.) Mandate to the sheriff to give him full seisin. (23 Ed. I., *Pat. Rolls*.)

*By the King at Udimore, Sussex.*

Grant to Walter de Agmodesham, King's clerk, of the prebend in the King's Free Chapel of Hastings, void by the death of Thomas de Assheburn. Mandate to the sheriff to give him full seisin. (*Pat. Roll*, 23 Ed. I., m. 1., Nov. 8.)

Protection against seizure of a tenth of Nicholas de Spronton, parson of St. James, London,



## Appointments to the Chapel

France and Scotland, and the consequent taxation, threw the baronage of England into a state resembling revolt against the royal authority.

The clergy were taxed most unmercifully by the Crown, and when they resisted they discovered that the King's coercive policy was too strong for them. The barons, under the Earls of Hereford and Norfolk, made a determined stand against these exactions, and their resistance finally resulted in the confirmation of the Charter, and in addition the Statute *De Tallagio non concedendo* (Feb. 14th, 1301), which provided that no tax should be imposed without the leave of Parliament, nor new tolls or customs levied, and that the Crown might not seize any merchandise, as had been theretofore occasionally the practice. This Charter practically brought to an end the quarrels between Edward and the barons.

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and St. Mary la Rye, and the prebend of Wertling in the church of Hastingges. (*Pat. Roll*, 1295, 24 Ed. I.)

Protection granted by the King at Langley with clause *Nolumus (inter alia)* to Edmund de London, parson of the Church of Wittlesford, Canon of the King's Free Chapel of St. Mary in Hastings Castle. (25 Ed. I., *Pat. Rolls*, m. 14.)

The following grants from the Patent Rolls are interesting.

Grant by the King at Westminster, on the information of John de Bensted, to Master Thomas de Logore, King's clerk, of the prebend of Iwhurst (Ewhurst) and Bodyham, which Guy de Canali lately held in the King's Free Chapel of Hastings, now void by resignation.

Mandate to the Dean and Chapter to assign to him a stall in the choir and a place in the chapter. Mandate to the Sheriff of Sussex to give him full seisin. (26 Ed. I., *Pat. Roll*, m. 22, and *Ch. Mis. R.* 34.)

Grant to Adam de Blida, King's clerk, of the prebend which Nicholas de Spronton, deceased lately held in the King's Free Chapel of Hastings. Mandate to the Sheriff to give him livery of seisin. (By the King on information of John de Bensted, *Pat. Roll*, 26 Ed. I., m. 16.)

Grant to Thomas Blithe of the prebend of Wretling (Wartling). (27 Ed. I. [1298-99], *Ch. Mis. R.* 34.)

Grant to Andrew of Lincoln, King's chaplain, of the prebend (of Hoo) which Walter de Totehill lately held in the King's Free Chapel of Hastings. (By the King at Cottingham, Dec. 31st, 1299, 27 Ed. I., *Ch. Mis. R.* 34.)

### *Pat. Rolls*, 27 Ed. I.

Exemplification at the request of John of Brittany, on account of the breaking of the seal attached to them, of letters patent of Henry III., dated at Westminster, January 19th. (53 Henry III., see p. 101 *ante*.)

The like of letters patent, dated November 25th, 53 Henry III., being a writ *de intendendo* directed to the tenants of the honour and rape of Hastings, in favour of John, son of John, sometime Duke of Brittany. (See p. 103 *ante*.)

The like of a chirograph of Henry III., dated at Winchester, November 20th, 53 Henry III., which is partly destroyed by age, and spoilt by the breaking of the thong whereby the seal was attached to it, granting to his said son, John of Brittany, son of John, sometime Duke of Brittany, the honour and rape of Hastings. (October 18th, Westminster. By the King. See p. 102 *ante*.)

Grant to Giles de Audenard, King's clerk, of the deanery of the Free Chapel of Hastingges. (1302, July 30th. 30 Ed. I., m. 15, Westminster.)

Appointment of Master John de Cadamo (Caen), King's clerk, to the custody of the Castle of Hastings, during the King's pleasure. (1302, August 9th. 30 Ed. I., m. 14.)

# The Royal Free Chapel of Hastings

## THE DISPUTE BETWEEN EDWARD I. AND THE BISHOP OF CHICHESTER RESPECTING THE JURISDICTION OF THE PREBENDS OF THE ROYAL FREE CHAPEL OF HASTINGS

Once more the records show that the contest between the Church and the King, regarding the Royal Free Chapel of Hastings, had not ceased with the death of Archbishop Peckham. The Bishop of Chichester (Gilbert de Sancto Leofardo, 1288-1304) had for a long time petitioned the King in various Parliaments "touching his jurisdiction of the Church of Chichester in the prebends of Hastings, which are parish churches with the cure of souls,"<sup>1</sup> "which fell into the hand of our Lord the King by escheat of the Normans" (the Eu family) "and are not properly of the advowson of the King's ancestors and into which prebends certain persons have entered merely by collation made to them by our said Lord the King, without being presented to the Bishop, as was the custom before the escheat and since the escheat." In consequence of the continual claims made by the Bishop, the King issued his writ to Robert de Burgherse, in the following words:—

### *Mandate to Robert de Burgherse touching the King's Free Chapel of Hastings.*

Edward by the grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to his beloved and faithful Robert de Burgherse, Warden of the Cinque Ports, Greeting. Forasmuch as our Free Chapel of Hastings, together with the prebends annexed to it, like all our free chapels throughout England, is free, and ought to be free and exempt entirely from all ordinary jurisdiction; and forasmuch as we ought to confer, and hitherto have been accustomed to confer, the prebends of the said chapel whenever they fall vacant, just as our progenitors, the former Kings of England, were accustomed to confer their prebends when any vacancy occurred, since the times that the Barony of Hastings unto which the advowson and presentations to the prebends belong, came to the Crown; and forasmuch as it has been intimated to us on the part of the venerable G. Bishop of Chichester, who maintains the contrary, that the said prebends are immediately subject to his jurisdiction whereby the presentations that we should make to the same or any vacancies ought to be made by the Bishop of Chichester, and that the prebendaries ought to be presented to, and admitted to, and instituted by him, as they used to be with him and his predecessors the Bishops of Chichester in times past, we, wishing to be certified more fully on the premises, command you that you yourself in person going to the said Chapel and Prebends, make diligent inquiry into the truth as to the position which the Count of Eu, once patron of the said Chapel, had in his time in the matter of presentations: and what status our aforesaid predecessors and we after them had: and whether presentations were made to the aforementioned Bishop and his predecessors: and that you make diligent enquiry from what time, and in what way, and how, and examine into all the circumstances touching our status and the status of the above-mentioned Bishop, and that you inform us of what you have discovered, at our next Parliament, in person, to which Parliament we have adjourned the Bishop, that we, being thereby certified, may have done as well for ourselves as the Bishop, whatever justice shall dictate in the matter. We would also have you inform the several prebendaries of the said prebends, and charge them that they do there appear to set forth what they have to say for us and for themselves, whereby we ought not to present to the same prebends, and further to do and receive whatsoever we shall think fit in our wisdom and order hereupon. Here have you the writ for this. Witness ourself at Westminster, April 13th, in the 27th year of our reign.

This commission was changed by the King for a similar one, dated 14th May, 1299 (Stepney).

<sup>1</sup> From the petition of the Bishop of Chichester, *circa* 1421.



## Inquisition respecting the Free Chapel 1299

In accordance with this writ the following inquisition was held :—

### *Inquisition.*

Inquisition taken before Lord Robert de Burghersh at Robertsbridge (*Pontem Roberti*) on St. James the Apostle's day (August 5th), in the 27th year of the reign of King Edward, by the oaths of Sir William de Hastyngs, Sir Robert de Seuanz, Sir Robert de Passeleghe, Sir Baldwin de Stawe, knights Reginald de Tersherse, John de Bokisele, William de Leghe, William de Bromham, William de Haremere (Haremde), Bartholomew de Woluchope, John de Smalefeude, and John de Belhurst, who say that the Count of Eu and the Countess Alice, who last held the barony of Hastyngs, presented to the prebends annexed to the chapel of Hastyngs during the whole of their time, to the Bishop of Chichester for the time being. And King Henry during the whole of his time, by reason of the said barony being in his hand, presented to the said prebends to the *bishops of the See* in his time, and that Lord Edward, now King, presented to the said prebends to the bishops aforesaid, namely Master Ralphe de Frenyngheam and others, and Giles de Audenarde to Lord John, Archbishop of Canterbury, then guardian of the Spiritualities of the Bishopric of Chichester, that See being vacant by the death of Stephen, Bishop of that place; and by the aforesaid bishops they were admitted and instituted until our lord the present King gave to Walter of Hamotesham (Agmodesham) the prebend which Lord William of Dover held, which Walter was afterwards placed in his stall by the said King's letters directed to the Constable of Hastyngs, in the nineteenth year of his reign: and to Master Edmund of London the prebend of Brightling by our lord the King's letters directed to William de Esebrigg, the Dean and Chapter of the Chapel of Hastyngs, in the twentieth year of his reign, who placed him in his stall, and to others who were installed by the said Dean and Chapter after the time aforesaid. And they say that the aforesaid prebends belonging to the said Chapel of Hastyngs, are not, nor were they accustomed to be, exempt from the jurisdiction of the ordinary, and that the bishops of the said place have at all times been accustomed to visit in the said chapel and to hold ordinations there at their pleasure, until they were hindered by Thomas Autel, the King's Constable, and the Canons of the said Chapel. (*Chancery Miscellaneous Rolls*, 138.)

Notwithstanding the result of the Inquisition the King, hearing that the Archbishop of Canterbury intended to visit the Chapel of Hastings, and the prebend belonging thereto, issued his prohibition to the Archbishop as follows :—

The King to the venerable father in Christ R. by the grace of God, Archbishop of Canterbury, Primate of all England, Greeting. Forasmuch as our Free Chapel of Hastings together with the prebends belonging to the same chapel, as all other Free Chapels of ours within our realm, is exempt and free and outside all jurisdiction of the Ordinary, and forasmuch as you, as we have heard, intend to put in force the office of visitation over our chapel and the aforesaid prebends thereof, we, foreseeing therefrom a derogation to our royal dignity, do hereby prohibit you from exercising any jurisdiction whatever in the case of the aforesaid chapel and its prebends, or presuming to attempt anything whatever which should prove to be to the prejudice of our Crown and Royal authority or to the harm of the liberties of the said chapel and its prebends.

Witness the King, Bledham, January 17th.

Many further details of this controversy are to be learnt from a document<sup>1</sup> extant among the Rolls of the Court of Chancery (*Miscellaneous Chancery Rolls*, 4/24, Public Record Office. See also similar Document, f. 24, roll, Dean and Chapter of St. Paul's. W. D. 5 f. 74, etc.).

The Petition of Gilbert de Sancto Leofardo at the Feast of St. Hilary, 1301 (29 Edward I.) was as follows :—

<sup>1</sup> It is a roll closely written in Latin and Norman French—upon parchment skins, in all about 12 feet long. It is fully translated in this work, and other documents not included in the roll are interposed in chronological order to illustrate and elucidate the facts related by the Bishop. The roll was probably prepared in support of a petition for the jurisdiction over the chapel by Bishop John Kempe, who died in the year 1421, which is the date of the last document quoted among the exhibits annexed to the Petition. (See *post*, A.D. 1421.)

# The Bishop petitions the King

*Record in Memoranda of the Exchequer in the twenty-ninth year of the reign of King Edward, son of King Henry, etc.*

Gilbert, now Bishop of Chichester, delivered to our lord the King in his Parliament at Lincoln, on the Feast of St. Hilary, a certain petition in these words :—

To our lord the King and to his Council, his Chaplain Gilbert, Bishop of Chichester, maketh his prayer, if it please him, that whereas the aforesaid Bishop prayed our lord the King at a Parliament at Westminster, a long time ago, that those who have entered into certain prebends of Hastings, which are parish churches, with cure of souls, without being presented to him under colour of gift of our lord the King, to wit, Master Thomas de Loger, Edmund de Londres, Wauter de Almotesham (Agmodesham), Adam de Blid, and Sir Andrew de Nicole (? of Lincoln), should be presented to him in like manner as all prebendaries of Hastings were always accustomed to be presented to him and to his predecessors before the Barony of Hastings with the Castle, and the advowsons of the prebends, fell into the King's hands by escheat of the Normans, and after the escheat, the presentments whereunto the Bishop hath ready to show, when it shall please our lord the King and his Council, under the seal of our lord the King, that now is, and of his father King Henry ; and our lord the King gave order to the said Parliament that the rolls of Chancery should be searched on this point, and that when the search was made the Chancellor should make return thereof. And the rolls have been searched by Sir Adam de Osgodby and are in his custody. Wherefore the said Bishop prays, as he hath petitioned for a long time to Parliament after Parliament, and as the matter was adjourned at the last Parliament at Westminster in Lent last year, until the next Parliament which is now sitting, which adjournment was enrolled by Sir Gilbert de Ronbury in his roll by command, that our lord the King and his Council would give judgment according to the search made, and according to the record of the rolls of Chancery and according to the evidences which the said Bishop will produce forthwith, and according as they shall see meet and right, for in delay there is great danger to souls. And the said petition was endorsed before the King and his Council thus : 'Let it be written to the Sheriff of Sussex that he cause to be warned the Chapter of Prebendaries of the Chapel of Hastynges that they do assemble in some certain place before the feast of Easter, and among themselves diligently search by all means in their power concerning the right and liberty of the King and chapter aforesaid, and all other evidences touching that business, and certify the King's council thereof at York, on the morrow of the Ascension of our Lord.' And the same day is given to the Bishop of Chichester before the same Council of the King, etc., to show by themselves, etc. And the petition is in duplicate, and one remains in Chancery, and the other at the Exchequer, and in form aforesaid.

The King, being informed that the Archbishop of Canterbury, notwithstanding his prohibition to him as above, intended to visit his Free Chapel within the Castle of Hastings, issued his writ on April 9th, 1301, to Stephen Sprott,<sup>1</sup> Constable of his Castle of Hastings, not to permit the Archbishop, nor any other

## 29 Edward I.

<sup>1</sup> The King committed to Stephen Sprott "our Castle of Hastings with appurtenances, to keep for as long as it should please us, rendering therefore yearly, as much as other keepers," etc.—*Ro. 7.*

(From the deeds and documents of Battle Abbey.) Stephen Sprott seems to have been a Hastings man who married a Battle lady. The following deeds appear to refer to him. He evidently died before 1308.

1279. Feoffment of land to Alice, daughter of Henry, Master of the School at Battle (from a deed dated December 13th, 1277, this appears to relate to a croft of land lying near the Church of St. Mary, Battle).

No date. Feoffment by Alice Cond, daughter of Master Henry of Battle, to Thomas Ivychereche, of all the lands that she then held of Gilbert Rudefin, and of Stephen Sprott of Hasting, and Sara his wife, in the town of Battle, with a parcel of land near the messuage and croft of the said Thomas in Sandlake.

1308. Sarah, formerly wife of Stephen Sprott, to the Abbot and Convent of Battle, of a tenement at Sandlake, which belonged to Fulcon Coke, her father, deceased. (Dated at Battle.)

(Dom.)—Peter Sprott—was cellarer of the Abbey of Battle—vide his accounts, Michaelmas—1465–1466.—*Battle Abbey Documents.*)



## The Archbishop's Visitation prohibited

from him, to come within the Castle to visit or exercise any ecclesiastical jurisdiction within the Free Chapel thereof—to the following effect :—

29 Edward I.

The King to Stephen Sprott, Constable of his Castle at Hastings, Greeting. Since the venerable father R. Archbishop of Canterbury, is intending, as we understand, to visit our Free Chapel in the said Castle of Hastings, which is exempt from all jurisdiction of the Ordinary, to our prejudice and the manifest harm of the said Chapel, we command you, and strictly enjoin upon you that, if it should happen that the aforesaid Archbishop, or any one else on his part, should come to our said Castle, to visit our said Chapel, or to do, or attempt to do, anything else which might be to our prejudice or the liberty of our said Chapel, that you in no wise permit the Archbishop, or any one else coming in his name to enter the said Castle. Witness the King, Feckenham, April 9th.

### *Further Proceeding in the Bishop's Action.*

“And the Sheriff has now returned here the writ, and sent that he has caused to be warned the Canons and Prebendaries of the said Chapel of Hastyng, that they assemble together according to the form aforesaid, etc., by Stephen Bracy and Richard Sanbrige, etc. And the

1301.

aforesaid Bishop by Master Henry Gurland his attorney now on the morrow of the

Ascension of the Lord, comes here and Giles de Audenarde, prebendary of the Chapel aforesaid, for himself and the Chapel aforesaid, for himself and the Chapter of the same Chapel likewise, and being called together here, P. de Willyughby Chancellor of the Exchequer and deputy of the Treasurer there, W. de Carleton, P. de Leycestria, John de Insula (de Lisle), barons, J. de Metingeham, P. Malor, W. Hawarde, and Lambert de Tynkyngheam, justices of the Bench, the petition aforesaid being heard before them and also the endorsement of the same being plainly understood by the same, they agreed unanimously that they, on account of the absence of the Treasurer and also of the King's Chancellor, and others more, as well justices, etc., as others of the Council of our Lord the King, would not expedite anything concerning the

1301.

Feast of  
St. John the  
Baptist.

business aforesaid at present, but the same business to continue in the state in which it is now until the quinzaine of Saint John the Baptist next to come; that then the King's Council being more fully called together for expediting the business before named it may duly proceed. And hereupon the same day is given to the said Bishop

by his attorney aforesaid to be here in the same state in which now, etc. And it is told to the aforesaid Giles, that he be here bringing full power from the Chapter aforesaid, to show and propose for the rights of the King, and the state of the Chapter aforesaid what for the premises shall be, etc., or that for the same Chapter he and other prebendaries there in his stead send another sufficiently instructed to show, etc., as is aforesaid, etc. At which day the Treasurer, Chancellor, Barons of Exchequer, and justices of both benches, and certain other of the King's Council being congregated, the aforesaid Bishop by his attorney aforesaid offered himself before the same, praying the petition aforesaid, and the answer made to the same in Parliament, and also that which here was done therein to be seen and the reasons which he has to say to the premises to be heard, and further to the same therein to be exhibited, etc. And hereupon there being called the Canons and Prebendaries of the aforesaid Chapel of Hastings who have here a day now to show if anything for the right of the King, etc., as above doth appear. On the part of the same came one and put forward a certain patent letter in these words :—‘Be it manifest to all who shall see the present writing that I, William de Helkes, Canon of the Chapel of our Lord the King in the Castle of Hastyng, Vicegerent of the Dean in the same Chapel, and we, Giles de Audenarde and Thomas de Repe, Canons of the same Chapel, with all diligence have searched all the writings and muniments or charters being in our treasury, but we have found nothing with us which satisfies us for the exemption of the jurisdiction of the Ordinary, concerning the privileges of the exemptions of the Chapels of our Lord the King which he has : it is not manifest to us, nor by those can we be defended unless by himself mediating. And in witness of this search made by us for our church and our absent brethren, we have set our seals to these presents. Given and done in our Chapter on Wednesday next before the Feast of the Nativity of St. John the Baptist, in the year of our Lord, one thousand three hundred and one.’” (*Chancery Rolls*, 34.)

(*Ancient Petitions*, E. 620.) *Concerning the Prebends of Hastings.*

To our Lord the King prays his chaplain—if it please him—Bishop of Chichester. That whereas, as he has often shown to you, certain persons have entered by your (gift) into the prebends of Hasting which are parish churches, without being presented to him as always in voidance of the said prebends they have been wont to be presented to the said Bishop and to his



## Struggles of the Bishop for Jurisdiction

predecessors: and thereupon by command of our Lord the King, inquiry is taken and returned in Chancery, and now of late the Chancery Rolls thereupon searched and examined, and shown to the Council in several Parliaments, so that at the last Parliament of Lincoln,<sup>1</sup> the said Bishop and the Canons of Hasting aforesaid were adjourned to York, at the morrow of the Ascension next ensuing, before the Council to show their reasons and their evidences touching the said business on the one side and on the other. At which day the parties came and showed what they had for themselves and their right, and then the muniments thereof examined and enrolled in the Exchequer, and after adjourned to divers days at the same place before the Council aforesaid and laid before them, it was told to the parties that they should not go forward to judgment without especial command of the King. Wherefore the said Bishop prayed our Lord the King that he would command his Council to go to judgment. Whereto the King said that he willed that the said business should be before him at the quinzaine of the term, and thereupon he sent a writ to the Treasurer and Barons of the Exchequer that they should cause to come before him at the quinzaine of Saint John, that now is, wherever he should be in England, the record and the process of the whole business with the evidences and the memoranda (remembrances) which process and record are ready under the seal of our Lord the King at the Exchequer. And he prays that remedy may be made to him for God and for the honour of the Holy Church, after so long delay, seeing that to the great peril of souls, and to the great prejudice of the Church of Chichester, the business is so much retarded and so much delayed.

And it was asked by the King's Council aforesaid, of the attorney of the aforesaid Bishop, what he wished to say or show for the state of the same as to the premises, who said that the aforesaid Chapel of Hastyng was not founded by the progenitors of the present King formerly kings of England, but one R. (Robert), formerly Count of Eu, who was the *founder and builder*<sup>2</sup> of the Chapel aforesaid, and thereof he shows a transcript of the gift of the said Count, of lands and tenements and other things which he assigned for the support of the prebends in the aforesaid chapel, which Chapel of the Church of Saint Mary of Hastyng is named in the said transcript, etc., and also a transcript of muniments of other Counts of Eu, who succeeded the said R., concerning the lands and tenements and other their gifts made to the same canons, the tenour of which said muniments and gifts of the said R. appears in full in a certain roll attached to the said record. Also he said that Ralph (the Second) formerly Bishop of Chichester (Ralph Neville), in the year of our Lord one thousand two hundred, on the twenty-seventh day of the month of May, in the time of Alice Countess of Eu, at that time patroness of the Church of St. Mary of Hastyng, which is now called the King's Chapel, ordained concerning that prebend which one Master Peter de Colomede (Colon'), then had in the church aforesaid, and which prebend is named of Hoo, three prebends with the consent of the said Countess, and at the instance of Master Peter aforesaid: so that to the same three prebends thenceforth, honourable persons at the presentation of the said Countess and her heirs, should be admitted by the diocesan of the place, etc., and concerning the ordination aforesaid, he showed letters patent sealed with the seal of Stephen, formerly minister (*sic*) of the church of Canterbury, containing in them the deed of the said Ralph, formerly Bishop of Chichester, concerning the said ordination, and he confirmed the same, given in the year of our Lord, and the month aforesaid. And the tenour of those letters fully explained by the same attached to this roll, immediately after the muniments abovesaid, appears in full. Moreover he says that the Lord H., the late King, father of the present King, in his time by reason of the lands of the said Countess being in the hand of the said King H., in the years of his reign 30, 38, 39, presented to certain prebends then void, namely: Wibert de Kent to the prebend of Burghish in the 30th year—Henry de Wengham to the prebend which William Mery had had in the aforesaid church of Hastyng in the 38th year—and Roger de Messyndene to the church of St. Thomas of Hastyng (? Winchelsea), in the 39th year. And likewise the present King presented to the vacant prebends of the Chapel aforesaid in the 2nd, 14th, and 16th years of his reign, etc. And as well the father of this King as himself by their letters patent sent for every one presented by the same to the said prebends to the Bishop of Chichester, requesting him that he would admit those so presented at the presentations of the said Kings, and would institute in the prebends to which they were, etc., and thereof shows three letters patent of the aforesaid King H., the presentations by him made, and three Kings now, etc., sealed with seals of the said Kings which are inserted at full in the said roll hereto attached, which things aforesaid they testify. Moreover he shows a certain letter sealed with the common seal of the Chapter of the aforesaid church of Saint Mary of Hastyng, which the same Chapter sent to R., formerly Bishop of

<sup>1</sup> The great Parliament of Lincoln, Jan. 20th, 1301.

<sup>2</sup> See p. 21, *ante*.



## The Archdeacon's Visitation prohibited

Chichester, and by which it presented to the same one Simon de Hastynges to a priest's stall in the church aforesaid, praying that he would admit him to the aforesaid stall, etc., and which letter is enrolled in full in the said roll. He says also that in the King's Chancery there are other divers presentations of King's inquisitions, and other evidences touching the prebends of the Chapel aforesaid in the rolls, and that by these things abovesaid and shown for the said Bishop, it sufficiently and manifestly appeareth, that the said Chapel is not of the foundation of our Lord the King, or of his ancestors, and that as well our Lord the King H., father of the present King, as the King himself, in presenting to the prebends of the said Chapel, presented them to the Bishop of Chichester, and those so presented, were by the Bishop of Chichester admitted and instituted, etc. And whereas the Bishop, who now is, ought to use and enjoy the same jurisdiction of Ordinary in his diocese, as his predecessors were wont to have, unless some special deed should preclude him, a deed of which kind neither on behalf of the King nor otherwise is shown, nor can be shown, he prays judgment. And it is seen by the King's Council aforesaid that whereas in answer to the petition of the said Bishop above enrolled, that it be proceeded to judgment in the premises, etc. It is to be spoken with the King before, etc. And a day is given to the said Bishop by his attorney in the state in which now until fifteen days from the day of St. Michael, etc., and in the meantime, etc., at which day the Bishop by his attorney came and prayed judgment according to the process aforesaid, as before, and hereupon Master John de Kaam<sup>1</sup> (Caen or Cadamo?) clerk present here, said for the King that there are more things for him to show that the Bishop aforesaid ought not to exercise ordinary jurisdiction in the Chapel aforesaid. And upon these things John de Whyz (Wicheo), who was lately Constable of the King in the Castle of Hastynges, Giles de Audenarde, Master Edmund de London, and Thomas de Repe, prebendaries in the King's Chapel aforesaid, know, and can certify to the Court of the King. And he prayed for the King that they be commanded to come here at a certain day, to show and propound for the King, etc. And it is agreed that they shall come. And it is enjoined to the aforesaid Master John by the said Council, on behalf of the King, that he do sue the writs for the King himself of *venire facias* hither the aforesaid John, Giles, Edmund, and Thomas, in fifteen days from the day of the Holy Trinity, to shew and propound anything for the King: and that the said Master John be then here to show and propound anything, etc. And the same day was given to the aforesaid Bishop by his attorney in the state in which now, etc.: and it is told him that if he shall see it to be expedient himself, he shall sue in the meanwhile that the said King command his Council aforesaid to proceed to judgment in the premises.

In 1302 the archdeacon apparently intended to exercise ordinary jurisdiction in the Royal Free Chapel of Hastings; the King therefore issued the following prohibition:—

### *Mandate to the Archdeacon. (Pat. Rolls.)*

The King to the Archdeacon of Lewes and his officers and commissaries, Greeting.

Forasmuch as our Free Chapel of the Blessed Mary in the Castle of Hastings, together with the Prebends and Chapels annexed thereunto, as all the other our chapels within our realm, is exempt, and free, and void of all ordinary jurisdiction, and moreover as you, as we have heard, do intend in the said chapel and the prebends thereto annexed to exercise jurisdiction to the manifest prejudice of us and our Royal dignity, and of the said Chapel, we, herefrom expecting derogation to ourselves and our Royal dignity, as well as to the exemption, liberty, and immunity of that same Chapel unless we apply an opportune remedy, we therefore strictly forbid you and order you that you do in no wise presume to exercise any jurisdiction in our said Chapel or the members thereof, or to attempt anything to the prejudice of us and our Royal dignity, and of the said Free Chapel. Holding you in the premises in such wise that we need apply no remedy over and above this. Witness the King at Newendenne, Sept. 15th.

In the next year (1303) the Archbishop of Canterbury, citing one of the prebendaries of the King's Free Chapel (John of Caen, appointed to the prebend of Stone, December 11th, 1291, resigned 1301 in favour of Nicholas of Caen),

<sup>1</sup> 1301—March 27th—(29 Edward I.) Grant to Nicholas de Cadamo, King's clerk, of the prebend of Stone, in the Free Chapel of St. Mary in the Castle of Hastings, which Master John de Cadamo (of Caen), King's clerk, lately resigned.

# The Archbishop disobeys the King's Mandate

invested therein by the King's collation without previous presentation to him or admission by the Bishop, the King issued the following prohibition :—

31 *Edward I., m. 12 dorso.*

The King to the venerable father in Christ, R. by the Grace of God Archbishop of Canterbury, Primate of all England, Greeting. It befits us to take anxious pains that the rights of our Crown and Royal dignity are in no wise destroyed, to uphold and maintain which we ought and are bound to be more solicitous as we are known to be kept and bound thereunto by the bond of our oath. Forasmuch therefore as collations to prebends in our Free Chapel of Hastings belong to us in full right, and we have the right to possess and to bestow them when they are vacant, although there is a question depending undecided in our courts between us and the venerable father the Bishop of Chichester, upon the right of institution in the said prebends, you have, as we have heard, caused to be cited before you on a writ of intrusion, our beloved and faithful clerk, Master John of Caen, for that he did by virtue of our collation given unto him obtain a prebend in the said Chapel, as other prebendaries of the same Chapel have heretofore obtained them : and are intending in this case to proceed seriously against him ; we then considering that if for the aforesaid cause you proceed in such a way against him, such proceeding will turn out to the grave prejudice of our Crown and Royal dignity, and to its enormous hurt, we do strictly and firmly prohibit you, that you do not presume in any way to interfere in this matter, to the prejudice of our Royal rights and Crown, so long as it depends, as is said above, undecided in our Court, or presume to interfere therein. Witness the King, Huntingdon, March 28th.

On February 12th, 1304 (32 Edward I.), Gilbert de Sancto Leofardo, Bishop of Chichester, died. Notwithstanding the prohibition the Archbishop of Canterbury went to the Castle and excommunicated the Keeper, John de Wicheo (who seems to have succeeded Stephen Sprott), and afterwards sent his commissioner, who by stealth entered the Castle and held a visitation there by the collusion of William of Lewes,<sup>1</sup> whom they appointed Dean of the Chapel. Hearing of this matter, the King issued the following summons to the Archbishop :—

33 *Edward I. Close Rolls, m. 17, dorso.*

The King to the Archbishop of Canterbury (Robert of Winchelsea, 1293-1313), Greeting. We lately prohibited you when you were visiting the diocese of Chichester, from presuming to exercise in any way any jurisdiction in our Free Chapel of Hastings or the Prebends belonging to the same Chapel, or attempt anything else that might tend to the prejudice of our Crown or Royal dignity, or to the harm of the liberties of the said Chapel, but you, not content with your own borders, and putting your sickle into another's harvest, disregarding this our mandate, soon after travelling to the town of Hastings, in the intention of visiting the said Chapel and the prebends belonging thereunto, have issued sentence of excommunication against John de Wicheo, then Keeper of our Castle in that place, because he did not permit you, as indeed he was bound not to permit you, to enter the said Castle to visit the Chapel, and also against certain Canons of the same Chapel not yielding obedience to you in this matter, and you have ordered them to be publicly declared excommunicated, and because you could not at that turn fulfil your purpose in the said visitation, you, heaping wrongs upon wrongs, did subsequently issue letters to certain commissaries, bidding them go to the same place and in your stead exercise the office of visitation in the said Chapel, with all things appertaining thereunto. And these commissaries, carrying out this your mandate, did go in person to the said place and entering into our Castle in the same place, left then without a keeper, did presume contrary to our prohibition, to exercise the right of visitation in our said Free Chapel situated within the Castle, which Free Chapel like all Free Chapels throughout our realm, hath hitherto been and is free entirely, and exempt from all ordinary jurisdiction of Archbishops and Bishops, and all inferior prelates, to the no small prejudice and contempt of our Crown and Royal dignity. We therefore not being able to endure such insolence and such enormous wrong, do charge you, and strictly enjoin you, to appear before us on the morrow of the Blessed Trinity, wherever in England then you shall be, to

<sup>1</sup> If this be the same William of Lewes as the William mentioned in the former complaint of the canons (7 Edward I.), he now seems to have settled his differences with the see of Chichester.



## The Canons delay the Bishop's Action

answer to us concerning the said excesses against us and our Crown, thus notoriously perpetrated, and certain other things which in the premises we shall lay against you in respect to the premises, and to do and receive what further our Court herein may decide, and do you then produce this writ. Witness the King. Westminster, April 20th (30th?).

On September 19th, 1305, John de Langton was consecrated Bishop of Chichester.

*The Petition of John [Langton] Bishop of Chichester delivered to the Lord King and his Council in his last Parliament at Westminster in these words underwritten.—[Norman French.]*

To our Lord the King and to his Council John Bishop of Chichester [1305-1337] maketh prayer, that Whereas Gilbert de Sancto Leoffardo, formerly Bishop of the said place, his predecessor for a long while petitioned divers parliaments in a business touching the jurisdiction of the Church of Chichester in the prebends of Hastings which are parish churches with cure of souls which fell into the hand of our Lord the King by escheat of the Normans and are not properly of the advowson of the King's ancestors as of the Crown, and into which prebends certain persons have entered there by collation to them made by our said Lord the King without being presented to the Bishop of the place as was the custom before the escheat and since the escheat, may it please our Lord the King and his Council for the love of God and the health of the Church to put due end to the said business which has been followed for a long while from parliament to parliament in which the Canons of Chichester received answer to their good petition to the last Parliament that they must wait, until they had a bishop to receive judgment in the business aforesaid; and [the petitioner] submits that the said bishop now and his predecessors have always had all manner of jurisdiction in ordinary in the said prebends without challenge except in the presentments which are now made by usurpation as is aforesaid, which said petition before the Council there was endorsed thus: "Let this petition be delivered to Roger le Brabanzon and his associates, together with the whole process touching that business, and let him be examined, other justices being called for this purpose, and further do what shall be just. And if difficulty intervene, which cannot be determined without the King, let them certify the King thereof, etc." And that the whole process of the business aforesaid be sent before Roger Brabanzon, etc. By virtue of which endorsement the petition aforesaid, together with the whole process of the business aforesaid, had been delivered to the aforesaid Roger, to examine those things, and further to do, etc.

By virtue of which process and also of the petition of the aforesaid Bishop John, and the endorsement of the same, the said Bishop came before the King in fifteen days from Saint Michael's day in the 33rd year of the reign of the said King. And the aforesaid Master John de Caen who sues for the King in this behalf, came and said that he hath not yet been advised or informed upon the right of the said King, etc., therefore a day was given to the aforesaid Bishop on the morrow of the Purification of the Blessed Mary, wheresoever, etc." (*Chancery Rolls*,  $\frac{4}{16}$ .)

At the same Parliament (holden at Westminster) on the Sunday next after the feast of St. Matthew the Apostle (33 Edward I., Sept. 21st, 1305), was presented the following petition:—

*Petitiones in Parlamento*, vol. 39, p. 167, 33 Edward I.

To the petition of the Clergy and Canons of the Free Chapel of Hastings begging a remedy for this, that although they have hitherto been free from ordinary jurisdiction, and ought only to be visited by the King's Chancellor, or some other sent on the part of the King, the Archbishop of Canterbury, Robert of Winchelsea, claiming jurisdiction, where neither he nor his predecessors ever had any, by collusion with one William de Lewes, a Canon of the said Chapel, did by means of commissaries, visit the said Chapel, which William has so long held his prebend (Wertling?) illegally, etc., wherefore they begged that he be called to answer, etc.

The answer was—"Let him be called before the Chancellor, and let counsel be heard in the King's behalf."

To the petition of the Clergy and Canons of the same Chapel praying that the King would please to dispose that a prebend in the same Chapel should be annexed to the office of Dean, so that the Dean—hitherto poor—may have a reasonable subsistence for supervising and directing the service of God in the same place, etc.

The answer given was—"It is the King's will that the Chancellor and Treasurer ordain that it be so done."

## The Archbishop's Defiance

In consequence of the above petition and of the Archbishop's action in disregarding the King's prohibition, Edward issued the following commission to Lord Robert de Burgherse :—

### *Writ to Robert de Burgherse.*

The King to his trusty and well-beloved Robert de Burgherse, Warden of the Cinque Ports, Greeting. We remember that we did of late issue a prohibition to Robert, Archbishop of Canterbury (Robert of Winchelsea), then visiting the diocese of Chichester, to the end that he should not presume to exercise any jurisdiction over our Free Chapel of Hastings, or the Prebends belonging thereunto, nor attempt anything else which might be to the prejudice of our Crown or Royal dignity, or to the harm of the said Chapel and Prebends. But the same Archbishop, not content with his own territory, and disregarding our mandate, and subsequently journeying to the town of Hastings with intent to visit the said Chapel and the prebends appertaining thereunto, has pronounced sentence of excommunication against John de Wicheo, then the Keeper of our Castle in the same, because he did not allow him, as he ought not to have done, to enter the said Castle to visit the Chapel there, and pronounced it also against certain Canons not obeying him therein, and has ordered that they shall be publicly declared excommunicated.

And because he could not on that occasion fulfil his purpose, he, heaping injury upon injury, did, as we have been informed, write to certain commissioners of his and ordered them to go to the said place and in his stead to perform the duty of visitation in the said Chapel and everything belonging to it. And these commissioners carrying out this his mandate, came in person to the said place, and entering our Castle in the same place, in the absence of the Keeper, did presume contrary to our prohibition, to exercise the office of visitation in our said Free Chapel, situated within the said Castle, which like all other of our Royal Free Chapels within our realm, hath hitherto been, and is, free altogether and exempt from all ordinary jurisdiction of Archbishops, Bishops, and inferior prelates, by appointing one William de Lewes to the office of Dean in the said Chapel, and to have the place of president of the Chapter, and by making there divers other statutes and ordinances on the authority of the Archbishop, to the prejudice and contempt of our Crown and Royal dignity, and the peril of our successors. We therefore not being able in any way to endure such insolence and such enormous injuries, charge you, and strictly enjoin you to proceed in person to the said place and diligently enquire into the truth of the aforementioned, and all the circumstances connected with the same. And if it shall be made clear to you that the said William de Lewes is holding the office of Dean in our aforementioned Chapel, as he is said to have been admitted to it, we charge you to remove him without delay from his office and the Chapel, and set some one else in our name in his stead to hold the office of Dean, until anything else shall be ordered by us thereon, certifying us distinctly and openly in our next Parliament, concerning what you find with reference to the said premises and each and every one of the premises.

The Canons of the said Chapel received a writ (*de intendendo*) that they should attend and answer the said Robert in everything soever concerning the state and liberty of the said Chapel and inform him as best they could upon the said ways and methods. Witness the King, Westminster, Nov. 8th. *Pat. Roll, 33 Edward 1., p. ii. m. 2.*

### *Further Proceedings in the Bishop's Action.*

And thereafter a day was given to the same Bishop in one month from Easter Day wheresoever, etc. And thereafter a day was given to the aforesaid Bishop on the morrow of Saint John the Baptist wheresoever, etc. And thereafter a day was given in three weeks from Saint Michael's Day wheresoever, etc. And thereafter a day was given to the aforesaid Bishop in fifteen days from the Day of Saint Hilary wheresoever, etc.

At which day the aforesaid Bishop came before the King in his Parliament at Carlisle, and exhibited a certain petition in these words :—"To our Lord the King and to his Council prays the Bishop of Chichester that it please them to command Sir Roger Brabanzon that he in the business of Hastyng, whereof the petition has long been pending, and that hath been delivered to him by commandment of the King, should proceed according to the form of the endorsement of the same petition and do right. And also may it please our Lord the King and his Council to ask Master John de Kaam (Caen) that he deliver all that which he hath against him, which toucheth the process of the said business to the said Sir Roger so that by default of that the business take no more great delay, which said petition was endorsed thus :—Let this petition be sent to Roger de Brabanzon under seal of the Chancery that he proceed in the said business in presence of the King's serjeants according to the answer endorsed in the petition heretofore delivered to him. And it is



## Further Obstruction to the Bishop's Petition

enjoined to Master John de Caen that he be in Parliament in proper person before the said Roger, on the morrow of the Ascension of our Lord, or that he send another to instruct the said Roger concerning the right of our Lord the King by writings, or other instruments, if he hath any with him, as it was enjoined to him before the whole Council that he deliver to the said Roger, that which he hath concerning the process of the said business. And let it be commanded by writ of Chancery to John de Wicheo, formerly Constable of the Castle of Hastynges, that he be at the day aforesaid with the process which he hath upon the business before named, and that he come instructed to (shew) for the King, what he knoweth upon the same business and other things touching that business, and all their circumstances, and this as he loveth himself and his, and would keep himself harmless, let him not omit. By reason of which endorsement that petition was sent before the aforesaid Roger under foot of the Great Seal of Chancery, at the day aforesaid, and also it was commanded to the aforesaid John de Wicheo, that he should be before the King on the same day under the form in the same endorsement contained. At which day the aforesaid Bishop cometh, and the aforesaid John de Wicheo cometh not but Master John de Kaam cometh and saith for the King that he is not yet fully instructed upon his right aforesaid, and that he understandeth that the Court may be informed and instructed thereupon by Reginald de Oydon, Walter de Bedewynde, Master Edmund de London, and other prebendaries of the same Chapel, and he prayeth that they may be warned, etc. Therefore it is commanded as well to the Ordinary as to the ministers of the King, etc., that they cause them to come before the King in fifteen days from the Day of Holy Trinity wheresoever, etc., to inform the Court in form aforesaid, etc. The same day is given to the aforesaid Bishop by his attorney *in Banco*, etc. And it is told to the aforesaid John de Kaam, that he be then there, to inform the Court, etc., together with other prebendaries upon the right and estate of our Lord the King, etc. At which day the aforesaid Bishop cometh, and the aforesaid Master John de Kaam and likewise Walter de Bedewynde, Master Edmund de London, and other prebendaries of the said Chapel, and requesteth that they may be served with notice, etc. An order is thereupon given both to the Ordinary and to the King's serjeants, etc., to cause them to come before the King a fortnight after the day of Holy Trinity, wheresoever, etc., to inform the Court in form aforesaid, etc. The same day is appointed to the Bishop aforesaid by his attorney *in Banco*, etc. And John de Kaam is told to be there at that time to inform the Court, etc., together with the other prebendaries, upon the right and status of our Lord the King, etc. And the aforesaid Bishop cometh on the day appointed, and the aforesaid Master John de Kaam, and likewise Walter de Bedewynde, Master Edmund de London, and certain other prebendaries of the Chapel aforesaid, come into the presence of the Treasurer, Chancellor, Justices of either Bench, and others of the Council of our Lord the King, and the serjeants of our Lord the King, for this purpose specially assembled, etc. And the aforesaid Bishop made urgent request that the Court would inspect and consider his petitions, and likewise look into and examine the proceedings in the business aforesaid, and set forth the justice done him as stated above in accordance with his petitions and the endorsements thereon before the Council of our Lord the King. And the aforesaid John de Kaam bringeth forward two letters from Alice, former Countess of Eu, one of which proveth that she granted the prebend of Turrok [Thurrock] to one Walter de Faukeberge, her clerk, and by the same letter she ordered the Chapter of the Blessed Mary of Hastyngs to assign to him a stall in the choir and a place in the Chapter, etc. And the second proveth that the aforesaid Countess Alice gave, granted, and by her charter confirmed to her beloved clerk, William de Mery, the prebend of Pesemersshe with its appurtenances, because the gift of the said prebend belonged to her as patroness, etc. He bringeth forward also a letter of the said present King, dated at Westminster, in the 52nd year of his father's reign, in which our said Lord the present King commanded all to whom, etc., requesting them to maintain and defend the rights and liberties of the Chapel or Castle of Hastings, suffering no sort of damage to be done to his canons or prebendaries dwelling there in any their goods or possessions whatsoever, or any undue or unaccustomed demand to be made upon them, etc. Upon which he saith from the tenour of the aforesaid two letters of the Countess, etc., that the Court can see clearly enough from the fact that the said Countess granted and gave the prebends of the said Chapel to her clerks, in form aforesaid, that at that time the said Chapel was free and entirely unsubject to, and exempt from, such jurisdiction—and that afterwards in the same condition by the forfeiture of the Normans it first came into the hands of King Henry, father of the present King, who held and ought to hold it free as aforesaid, and this plainly appeareth from the tenour of the aforesaid letter of our Lord the present King, etc. And he beggeth this Court to have regard to the letters and evidences as to the right and status of our Lord the King in respect to the liberty of the Chapel aforesaid, brought forward and shewn above. And the aforesaid Bishop has it



## Proceedings before the King's Council

that the letters aforesaid ought not to prejudice him or his church, for he saith as regardeth the two letters of the aforesaid Countess, that the same were made long ago, and that at that time many lords and magnates gave churches and prebends by these words—donation instead of presentation, etc. He saith moreover that Ralph, formerly Bishop of Chichester, afterwards with the consent of the said Countess and at the instance of Master Peter de Colemede, who then held the prebend of Hoo, in the Church of the Blessed Mary of Hastyngs, which is now called the King's Chapel, ordained three prebends, so that from that time forward honest persons might be admitted by the diocesan of the place into the said three prebends at the presentation of the said Countess and her heirs, etc. And thereupon he sheweth letters patent sealed with the seal of Stephen, formerly minister of the Church of Canterbury, containing the deed of the said Ralph formerly Bishop, upon the ordination aforesaid, and confirming the same : which said prebends together with the other prebends, etc., in the same condition came into the hands of King Henry aforesaid by the aforesaid forfeiture. He saith further that our said Lord King Henry, afterwards on three occasions presented his clerks to the three prebends in the Church of the Blessed Mary above-said : and in like manner our present Lord the King hath on three occasions presented his clerks to the prebends and chapel of the aforesaid church, all which clerks were presented by the said Kings to the Bishops of Chichester, and by them were admitted, etc. And on this point he sheweth three letters of the presentations aforesaid of the said King Henry, and three of our present Lord the King, which prove the facts aforesaid. He also sheweth a certain letter by which the Chapter of the Church of the Blessed Mary aforesaid, presented to Ralph formerly Bishop of Chichester, one Simon de Hastyngs, to be admitted to a prebendal stall in the Church aforesaid : all which letters and documents shewn by either side are enrolled in full in a certain roll attached to the proceedings aforesaid, which remain among the records of the 33rd year. He saith moreover that other letters of inquisition and evidences could be found in the Chancery, whereby this Court could be sufficiently informed as to the jurisdiction as ordinary over the church aforesaid as in the proceedings aforesaid is more at large contained. And as to the third letter of our Lord the present King, which supposeth the Chapel of Hastings Castle to be the King's Chapel, etc., he saith moreover that it is not contained in his petition, nor is it his intention at present to say anything with regard to the aforesaid Chapel in Hastyngs Castle, nor the prebends of the lay fee, except in so far as concerneth the jurisdiction of the Ordinary with respect to institution and deprivation (*destitutionem*) in the said prebends, which are parish churches having cure of souls, and over which he exerciseth other jurisdictions belonging to the Ordinary, such as visitations, corrections, and the like, in like manner as his predecessors have exercised such jurisdictions over the same, in right of their church aforesaid. Wherefore he saith that the Church of the Blessed Mary of Hastyngs aforesaid, ought not to be called or considered our Lord the King's Free Chapel, nor of the ancient demesne of the Crown, etc., insomuch as it was not founded by the King, etc., his progenitors, but rather by a former Count of Eu as is aforesaid : and he pleadeth forasmuch as he hath brought forward so many letters and deeds, and such a number of evidences, proving and confirming his jurisdiction, and as nothing special hath been shewn on the part of our Lord the King, which precludeth him from such jurisdiction, that this Court will shew forth justice upon the premises in accordance with his petitions and the precepts of our Lord the King, etc. And the aforesaid Master John and the other prebendaries and likewise the King's servants aforesaid, are asked whether they have or can say anything else against the jurisdiction of the said Bishop in this matter, and they say that up till now they have not found anything else, nor doth it appear to them that there is anything else at present to say on the matter, etc. And as it is sufficiently clear to the Court from the deeds and other evidences put forward and shewn above on the part of the said Bishop, that the Church of the Blessed Mary of Hastyngs aforesaid was founded by the Counts of Eu, who were the patrons of the same and the prebends thereof, and likewise as well by the tenour of the aforesaid letters of Stephen, formerly minister of the Church of Canterbury, on the ordination aforesaid, as by the tenour of the other letters of presentation of the aforesaid King Henry, and of the present King, etc., that the Bishops of Chichester had such jurisdiction over the church above-said, and the prebends thereof, both in the Count's time before the forfeiture, and in the times of the kings afterwards : and nothing special is shewn on the part of the King, precluding the aforesaid Bishop from such jurisdiction over prebends with cures, nor hath it been deduced but that the said Bishop exercises other jurisdictions such as visitations, and corrections, etc., over the same, but rather that an agreement was made by our said Lord the King and his Council in his last Parliament at Carlisle,<sup>1</sup> and also at Westminster, and on his petitions

<sup>1</sup> The statute (35 Ed. I.) of this Parliament holden at Carlisle, was one of the first directly



## The Bishop granted Ordinary Jurisdiction

being exhibited there again, that when his reasons had been heard, justice should be done him on the premises—the said Bishop is informed that he may exercise the Ordinary's jurisdiction in regard to institution and deprivation (*destitutionem*) over the church aforesaid, and the prebends thereof, which are churches with cures, reserving always the right and status of our Lord the King and of his heirs, when he might choose to speak thereof, etc., and reserving also the Chapel in Hastings Castle, and the prebends which are of the lay fee, etc, which are not contained in the aforesaid petitions, etc. (From *Chancery Miscellaneous Rolls*,  $\frac{4}{34}$ .)

See also similar judgment in the *Coram Rege Roll* (189), 35 Ed. I., m. 41.

Thus this matter ended within a month of the death of the King in favour of the Bishop, but he by no means secured the just rights of his see, for (as we have before stated) the church of St. Mary was never a Royal Free Chapel, but a Collegiate Church, and the claims which the King, and afterwards some of his successors, made and exercised over it, were not founded on any principle of law.

### EDWARD I (*continued*)

During the last few years of Edward's life, while the Bishop of Chichester, as we have seen, had so constantly sought an affirmation of his rightful claim to the jurisdiction over the prebendal churches of Hastings, the King had for the most part been engaged in war with Scotland. We have already met with the Bishop of Chichester petitioning at the great Parliament of Lincoln, where also the high-handed policy of interference by the Pope on behalf of the Scots (whose land he now claimed as a fief) had drawn from Edward and his barons a firm but respectful denial of the Papal right to interfere on behalf of the King's "rebel subjects the Scots." (*Mat. Westm.*)

On the rising of this Parliament the King went northward once more against the Scots. The expedition, however, ended that winter in a truce for ten months, on the intervention of the French King, Philip IV. Negotiations for a peace with France at first failed, owing to Philip's refusal to abandon his Scottish allies, but in the summer of 1303 terms of peace were agreed upon. On November 7th in that year, towards the close of the truce with Scotland, the Cinque Ports were informed that in lieu of fifty-seven ships which they were bound to furnish annually, there would be accepted twenty-five for the Scottish war. One of the French King's commissioners on the occasion of the peace negotiations was John,

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anti-Roman acts passed by the Parliament of England. After reciting the Papal abuses of patronage by the granting of provisions, the preferment of aliens, the diversion of monastic revenues to alien uses, exactions under the guise of Peter's pence, crusades, and the extortions of William de Tester, the Pope's commissary—the Act provides that the latter, William de Tester, shall not carry such monies out of the land, that his agents shall be arrested, and that the Pope shall be informed of his illegal proceedings. (See *post*, p. 143.)

Grant to Walter de Bedewynde, King's clerk, of the prebend in the King's Free Chapel of Hastings, late of Walter de Agmodesham, deceased. Mandate to Dean and Chapter, etc., by P. S. Dunfermline. (7th Nov., 1303. 31 Edward I., m. 9.)

34 *Edward I., Inq. P.M.* No. 41.

Robert de Burgherst died seized of the Manor of Burghersh (Burwash).

## The Rape restored to the Duke of Brittany

Duke of Brittany.<sup>1</sup> One of the terms of the treaty was the restoration of all lands, etc., of subjects or adherents of either party, which had been seized on account of adherence to either of the two sovereigns. The grant of restoration of the Rape of Hastings and other lands included in the Earldom of Richmond, is as follows :—

*A.D. 1304, Pat. Roll, 32 Ed. I. m. 18.*

The King to all, etc., Greeting. Know ye that in the treaty of peace entered into and confirmed between the most excellent prince, Philip, the illustrious King of France, our well-beloved cousin, and ourselves, concerning the differences and the wars between the said King and ourselves, it is contained—That all the lands and revenues of the men and subjects of the aforesaid King of France, taken or seized or detained, in our power by reason of the aforesaid war, whether they belong to ecclesiastics, or to any one else whomsoever, shall from the twentieth day of May in the thirty-first year of our reign, be fully and absolutely returned and restored to those to whom they belonged before they came into our hands, as in the aforesaid treaty is more fully contained.

We, holding and accepting the aforesaid terms of peace in all respects, do to our dear brother and faithful subject, John, Duke of Brittany, and Earl of Richmond, who is in the power of the said King of France, return and restore the Castle of Richmond, and all the lands and tenements of the said Duke, with the appurtenances thereof, which lately, by the occasion of the aforesaid war, were taken into our hands ; and which afterwards, when a truce was concluded between the aforesaid King and ourselves, concerning the aforementioned differences and wars we granted to the aforementioned Duke, of our special favour, to be held during that truce, we return and restore them, to be had and held with all their rights and appurtenances as fully and completely as he held them before they fell into our hands.

In witness whereof, etc. Witness the King, Stirling, May the first.

This document is dated from Stirling, where Edward was engaged in the celebrated four months' siege of that Castle : the terms and particulars of the surrender are dated July 24th, 1304. (*Fœdera*.)

On Oct. 14th, 1304, John of Brittany and others were commissioned to superintend the expenses of Prince Edward, the King's son, in his expedition to France. (*Fœdera*, i. 967.) In the following year (Oct. 15th), John of Brittany, the

<sup>1</sup> As before mentioned John Duke of Brittany must now have become an adherent of the King of France, and his property in England was in Edward's hands—but there probably was no great enmity between the English King and his brother-in-law—the allegiance to the King of France perhaps being the price of the Duke's liberty (see *ante*, 1292, p. 121), and he was in later days employed on a commission for peace with Edward. He was in great favour with the French King, as the subjoined document sufficiently shows. This document was framed to authenticate a claim which the Counts of Brittany had long made to be called Dukes of Brittany, but which was not commonly acknowledged.

*Translated note from Arch. de la Ch. des Comtes de Nantes, Lobineau ii. 442, Anselme iii. 38.*

"Philip by the Grace of God, King of the French. We make it known to one and all, as well to those that are, as to those that shall be, that we, considering the constancy of the devotion, faith, and approved honesty, as well as the prudence and diligence of his provident circumspection, of our beloved and faithful John, Duke of Brittany, and the free and acceptable services which he has long been rendering to us in the business of ourselves and our kingdom, and does incessantly display, and the labours and expenses which he is known to have been put to, to our honour and the honour of the kingdom . . . of the abundance of our grace and the fulness of our royal power, do make and create the said Duke to be a peer of our aforesaid kingdom of France. And that it may not be called into question that the Duke, who has been at times called in our letters Count, shall be a Duke, and the Duchy exist, and that he shall for the future be called Duke, we by our royal authority do declare, and by the tenour of these presents confirm. Done at Coutances, Sept. 1297."



## The Vagaries of Prince Edward

younger, was appointed to be Guardian of Scotland—with a salary of 3,000 marks a year—a post which he held during the next three years. (*Pats.* 33 Ed. I. *m.* 6-*m.* 4; 34 Ed. I., *m.* 35; 1 Ed. II., *m.* 20-28.)

In 1305 many instances arise which illustrate the character of Edward's son and heir (Edward of Caernarvon), styled Prince of Wales. He was a young man of twenty-two when Knighton thus draws his portrait: "Not caring to associate with the nobles, he clave to buffoons, singers, actors, grooms, labourers, rowers, sailors, and other mechanics; indulging in drinks, readily betraying secrets, striking bystanders on light occasions." One of his latest follies had been the riotous entry into the park of Walter Langton, Bishop of Chester, the King's Treasurer, and the killing of his deer. For this and other offences, the King dismissed the young Prince's followers, including Gaveston, his foster-brother and boon companion. The Prince was banished from his father's presence, and in a state bordering on destitution, he wandered about Kent and Sussex, imploring the restoration of the King's favour, and the restitution of his "dear brother Gaveston." He endeavoured to provide for his old tutor and secretary, Sir Walter Renaud, in his present predicament, by entreaties to his friends to present his "dear clerk" to vacant benefices. In the majority of cases he seems to have been unsuccessful. On July 1st, 1305, he thus writes to his stepmother, the Queen, who was still kindly disposed towards him. This letter, with many others, was copied on to a parchment-roll by some secretary. The roll, containing upwards of 800 letters of the Prince, extending altogether over five months (33 Ed. I.), is several yards in length, and is 10½ inches wide. It was discovered in 1848 by Mr. Devon, late of the Record Office, in the Chapter House of Westminster. The letters are written in old French. A pathetic interest attaches to many of the letters, and the faithfulness which he evinced towards his friends was ever one of Prince Edward's characteristics throughout his life.

"TO THE QUEEN, health, etc.

"Very dear lady,

"Because we desire very much the advancement of our dear clerk, Sir Walter Renaud, Keeper of our Wardrobe, as we are bound for the good services which he has generously done for us, and we have heard that our clerk, late Sir Giles D'Audenard, who held one prebend in Rypon, and another in the Church of Chichester, and a *third in Hastings*, is summoned to God, whereby the gift of these three prebends belongs to our Lord the King our father, whom we neither can nor dare request on our own behalf, concerning that, or other needs, as you know. My lady, we entreat your highness (*ma dame, prions votre hautesse*) to be pleased to be of help towards the said our lord and father, as if on your own behalf, my lady, and that for your sake he may be willing to advance the said clerk to the prebend of Rypon, inasmuch as he often promised him advancement.

"Very dear lady, may our Lord preserve and keep you by his power for ever.

"Given at Wy [Wye], the 2nd day of July."

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Mandate to Dean and Chapter to assign a stall, etc., to Nicholas Fermbaud for the prebend of Westthurrock in the Free Chapel of Hastings—presented by W., Bishop of Coventry and Lichfield, by virtue of his custody of lands of the late Bartholomew Brianzun, and admitted by R., late Bishop of London. Lincoln, P.R. 33 Ed. I., P. i. *m.* 19.

1305. (3 *Non. Dec.*)

Dispensation to Adam de Blida to retain a canonry and prebend in the Free Chapel of Hastings. (*Papal Registers.*)

## Death of John, Duke of Brittany

Among numerous other applications, the Prince wrote for similar preferment to William de Etchingham and Lord Robert de Burghersshe.<sup>1</sup>

Edward, Prince of Wales, was fully restored to his father's favour before the latter's death, and on May 23rd, 1306, the Prince and a multitude of young and noble men were knighted at Westminster.

The death of John, Duke of Brittany, occurred by an accident at the coronation of Pope Clement V. Matthew of Westminster, who describes the ceremony (Nov. 18th, 1305), says: "After the solemnization of mass, as the Pope was riding from the church to the palace, a certain wall built of stone and clay, old and half decayed, on which a great crowd of people were leaning for the sake of seeing the Pope, suddenly fell down on the crowd, and of two of the Earls who were leading the Pope's mount by the bridle, it crushed one, namely the Count of Anjou, and the other, the Count of Brittany, it killed on the spot, both being very eminent men, and besides them, many others were wounded. But the Pope was saved in a wonderful manner; and many people took notice of this disaster, as a prognostic of some impending evil." The letter which the Pope wrote to Edward I. in reply to that King's enquiry concerning the accident is as follows:—

A LETTER OF CLEMENT INFORMING THE KING THAT HE ESCAPED FROM THE ACCIDENT WHICH HAPPENED AT HIS CORONATION, BUT THAT THE DUKE OF BRITANNY WAS DEAD.

*A.D. 1306. 34 Ed. I.*

Clement the Bishop, servant of the servants of the Lord, to his dearest son in Christ, Edward, the illustrious King of England, Greeting, and apostolic benediction. We have received with fatherly affection, the letters which lately, to know the state of our health, your Royal zeal anxious for our safety, addressed to us, and we commend with giving of thanks in the Lord, the devoted love of so dear a son, whom we embrace in the arms of the most intimate affection.

We write therefore, in reply, that from the accident which occurred at our coronation, in consequence of the overcrowding and pressure of many people, the most High of His mercy, and the abundance of His love saved us, and we are alive and well. But we grieve for the Duke of Brittany, for whom we had a fatherly good will—who was killed in the accident. Moreover we beg of you, dearly beloved son, to pray devoutly that He, Whose vicegerent on earth we are, may grant to us to be in health to preside over and to profit increasingly, the Christian people.

Lyons, Jan. 23rd. The first year of our Pontificate. (The seal torn off.)

The Duke was aged sixty-six at his death, and was buried in the Church of the Carmelites at Ploërmel. His will is dated September, 1302–4.

Upon the death of the Duke, his Earldom of Richmond reverted to the Crown,<sup>2</sup> but the Rape of Hastings, included in the Earldom of Richmond, was granted to his son, John of Brittany, Guardian of Scotland (he was second son of the late Duke, and was born in 1266. He had served in the invasions of Gascony and Scotland, and had, during the life of the late Duke, been summoned to Parliament under the title of Baron, by writ dated May 23rd and July 13th,

<sup>1</sup> Robert, son of Robert de Burghersshe, King's clerk, was granted a prebend which Giles de Audenarde resigned in the Free Chapel of St. Mary, Hastings Castle. A mandate was granted in pursuance to the Canon. By privy seal at Lewes, 25th June, 1305, 33 Ed. I.

Grant to Roger de Portes, King's clerk, of the prebend of Crouhirst (Crowhurst) in the Free Chapel of St. Mary in Hastings Castle, void by the resignation of William of Dover. Mandate, etc. (Sheen, 6th Oct., 1305. P.R. 33 Ed. I., P. ii. m. 12.)

Dispensation to John de Gedele, the Queen's treasurer, Dean of Wells, to hold the Chaplaincy of the Castle of Hastings. (1305, *Papal Register*.)

<sup>2</sup> Because of the hostility of Arthur, the new Duke of Brittany, to the King of England.



## Rape granted to John of Brittany

1305 (directed to Johanni de Britannia, juniore), by patent dated October 25th, 1306 (34 Ed. I.), by which charter the King granted to his beloved nephew "the Earldom of Richmond, and the Castles of Richmond and Bowes, and all lands and tenements which were formerly held by John, Duke of Brittany, deceased in England, and which by reason of the death of the said Duke have reverted into our hands—to have and to hold the Earldom and the title of Earl—as freely and lawfully and in like manner as his said father held of us in his lifetime," and on the 7th November the new Earl surrendered certain grants formerly made to him by the King.

The new Earl was summoned to Parliament by writs directed to him as John of Brittany, Earl of Richmond, dated between Nov. 3rd, 1306 (34 Ed. I.), and Jan. 2nd, 1333-34 (7 Ed. III.).

Further rebellion in Scotland closed the reign of Edward I., whose death at Burgh-on-Sands near Carlisle, probably alone saved Scotland from scenes of fearful slaughter, and Edward's reputation from an indelible stain.

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Grant to Roger de Clare, King's chaplain, of the prebend of Hoo, in the Free Chapel of Hastings, void by the death of William of Lewes.

Mandate to Dean and Chapter, etc. By privy seal at Lanercost, 10th Feb., 1307, 35 Ed. I., *m.* 35.

Dispensation to Thomas de Lugore, D.C.L., clerk and ambassador to the King, to hold a canon and prebend in the Free Chapel of Hastings. (*Papal Reg.*, 8 Kal. Aug., 1306.)

### *Patent Roll, 27 Ed I. m. 8.*


Appointment of Robert de Burghershe, warden of the Cinque Ports, and Henry Appeltrefeld, on petition of John Duke of Brittany and Earl of Richmond, to make a perambulation between the King's barony of Pevenese, and the Duke's barony of Hastings in Sussex, by the oath of forty-eight knights of the counties of Sussex, Kent, and Surrey, to wit—sixteen from each county. (Oct. 18th, 1292, Westminster.)

### *Patent Roll, m. 4, 28 Ed. I. (9th Oct., 1300, by privy seal at Holme Cultram).*

Mandate for one year to the knights and free tenants of the Honour of Richmond and the Rape of Hastings, to take their oath to speak the truth at whatever time they are required by John Duke of Brittany, their lord, or his steward of the said Honour and Rape, to make inquisitions touching the rights, liberties, and other things pertaining to the Rape.

## CHAPTER X

### EDWARD II

N July 20th, 1307, Prince Edward, son of Edward I., received the homage of the English Lords, and, shortly after, that of the Scots at Dumfries. On September 13th, at York, he appointed John of Brittany, Earl of Richmond, to be Guardian and Lieutenant of Scotland during his pleasure (*Fœdera*, vol. ii. p. 6), and he also made an order to the Chamberlain of Scotland to pay the Earl ten marks *per diem* for his retinue of sixty men-at-arms, a similar order being made on January 15th, 1308. On the 30th of the same month the King requested the Earl to proceed to Gallo-way to suppress the rebellion of Robert Brus (Bruce) (*Id.*, p. 8). On January 28th, 1308, Edward married Isabella, daughter of Philip the Fair, at Boulogne, and was crowned on February 25th. The King had already recalled from exile his old favourite, Gaveston.

Troubles at once began, to a great extent excited by the King's extreme partiality for Gaveston, and the consequent restless jealousy of the nobles, who murmured unceasingly. The King found it advisable to postpone the Council which he had called for March 3rd until five weeks later; and on April 6th he issued his mandate from Windsor to the principal Castles in England, and among them that of Hastings, to fortify and safely guard the said Castle

"so that no danger might arise through want of fortification or guard." (*Close Rolls*, m. 6, 1 Ed. II.)

On April 28th the nobles persuaded the King to dismiss Gaveston, but they discovered afterwards that he had been appointed Viceroy of Ireland. Throughout the year dissatisfaction existed among the nobles, disturbances took place, and the King was obliged to order his nobles not to wear arms; moreover, to avoid opportunity for conspiracies, he strictly forbade the holding of tournaments. (*Rymer*, II. p. 59.)

On May 24th, 1308, the King ordered the barons of the Exchequer not to

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Presentation of Robert de Hurtle to the prebend of Bolewardeshethe in the Free Chapel of the King's Castle at Hastings, in the diocese of Chichester. 1 Ed. II., P. i. m. 2, Canterbury.

Presentation of Master Robert de Burghershe to the prebend of Peasemarshe. (1 Ed. II., P. ii. m. 13, Westminster.)

1 Ed. II., 1307, m. 17<sup>d</sup>, *Close Rolls*.

Master Edmund de London, Prebendary of Brightling in the Church of Hasting acknowledges that he owes to Robert de Childerhow clerk 80 marks, to be levied in default of payment on his lands in the Counties of Sussex and Cambridge. Cancelled on payment.



## Dispute as to the Ownership of the Rape

distrain the goods of John of Brittany, Earl of Richmond, for the debts due to his father; and on the same day he granted to the Earl all the goods and chattels in England which had belonged to his father John, Duke of Brittany (Westminster, *Ry.* II. 46; see also *Id.* 101, Dec. 19, 1309). The affairs of the Earl appear to have been, at this time, somewhat involved. It will be remembered that at the death of John, Duke of Brittany, father of Arthur, Duke of Brittany (born July 26th, 1262), and of John, the then Earl of Richmond, Arthur was presumably at feud with England, and his younger brother, John, was preferred to him, so far as the English estates were concerned. This preference no doubt excited Arthur's jealousy, even after the conclusion of the peace; and it is probable that at this date Edward was anxious to settle disputes amicably between all parties. Thus on June 5th, 1308, the King wrote to Arthur, Duke of Brittany, to send Maurice de Credomo to him in England

"desiring that the business concerning you and our well-beloved cousin and our faithful subject John de Bretagne (Britanny) should be settled to our honour and in the interest of you both," (*Ry.* II. 47.)

On November 28th Edward, at the instigation of the French King, granted a peace to the Scots. This seems to have freed the Earl of Richmond from his post in Scotland, but we soon find him engaged afresh in matters of state on an embassy to the Pope. On March 4th, 1309, letters of credence and recommendation were delivered to the Earl and the Bishop of Worcester, and the interest of the Cardinals was requested by the King in furtherance of their mission (*Ry.* II. 69, 70). The subject of their mission is not disclosed, but we find that the Pope shortly afterwards granted to the King a tenth from the estates of the clergy for three years, and the King on his part agreed that the Pope might keep a quarter of this tithe for himself (*Id.*, 87).

The calls on the clergy were somewhat heavy already, for we find that (*inter alia*) the Prior of Hastings was requested to subscribe and lend victuals to the King for the war in Scotland, the price of such to be paid at next Candlemas, out of money to be levied of the tenth, or other issues of the realm (3 Ed. II., *Close Rolls*, m. 5 (French).) And on August 20th, 1309, the King ordered that all the ecclesiastics and women, who could not serve in person against the Scots, should pay their fines to the Exchequer. (*Langley*, *Ry.* II. 85.)

About this time the Pope also granted a Bull providing that no delegate of the Apostolic See should promulgate any sentence of excommunication, and annulling any made, against the person of the King, or interdict against the King's Chapels. (*Papal Cal.*, 4 Clement, 21st May.)

The mission of John Duke of Brittany to the Pope probably also had reference to the absolution of Gaveston (then under excommunication), which was soon after granted. Want of money had previously driven Edward to summon Parliament in April, 1309. A twenty-fifth was granted, but the following conditions were annexed to the grant, namely, the rectification of:—

1. The abuses of Purveyance and the *prises* arbitrarily taken by the King's servants.
2. The imposts and certain merchandises.
3. The uncertainty of coinage value.
- 4 and 5. The usurped jurisdiction of the Royal Stewards and Marshals.
6. The neglect of Parliamentary petitions.

## Settlement of Dispute as to Rape

7. Exactions demanded at Fairs.<sup>1</sup>
8. Delay of justice by grant of writs of protection.
9. Sale of pardon to criminals.
10. Illegal jurisdiction of the Constables of the Royal Castles in common pleas.
11. The tyranny of the King's escheators, who ousted men from their good titles.

To these complaints the King gave, for the time, a favourable answer.

In July, 1309, Gaveston returned, having done good service in Ireland. In March, 1310, the King was compelled to hand over the control of affairs to twenty-one Ordainers, who enforced the above-quoted articles, and in addition, many others. Gaveston, apprehending evil, had fled from Court in February, 1310. In July of the same year the King was obliged to request the Pope not to irritate the English nobles by issuing personal citations against his subjects (*Fœd.* ii. p. 111.)

Negotiations had so far proceeded towards an amicable arrangement between the Earl of Richmond and his brother Arthur of Brittany that the King granted a document, by the terms of which all disputes were settled. The Earl of Richmond's estates (including the Rape of Hastings) were thereby granted to Arthur of Brittany, who had permission to grant the same to the Earl of Richmond in estate tail, and in default of issue to heirs of Arthur. This document was signed at Northampton, the King being then on his way northward with an army levied against the Scots, who had broken the truce.

*Concerning the granting of the Earldom of Richmond to Arthur, Duke of Brittany.* (A.D. 1310. Pat. 4 Ed. II., P. 1, m. 18.)

The King to all whom it may concern, Greeting. Know ye that of our special grace we do grant and give permission for ourselves and our heirs to our beloved cousin and faithful subject, John of Brittany, Earl of Richmond, that he may give and grant the Earldom of Richmond, the Castle of Richmond and of Bowes *and all lands and tenements in England* which the Lord Edward our father, erstwhile King of England, did by his charter give and grant to our aforesaid cousin for him and his heirs to hold for ever :

Unto our beloved cousin Arthur Duke of Brittany the brother of the aforesaid Earl for the

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<sup>1</sup> *Privilege to hold fairs and markets granted to the Earl of Richmond, Cart. 3 Edward II., m. 1.*

The King to the Archbishops, etc., Greeting. Know ye that we have granted and by this charter of ours have confirmed to our beloved cousin and faithful subject, John of Brittany, Earl of Richmond, to him and his heirs for ever (*inter alia*) that they hold a market weekly, on Wednesday, at their Manor of Burghersh (Burwash) in the County of Sussex, and two fairs in the same place, yearly, to last for eight days, one, to wit, on the vigil and the day of SS. Philip and James, and the two following days, and the other on the vigil and the day of St. Bartholomew the Apostle and the two following days.

And that they hold a market weekly, on Monday, in their Manor of Bulewarhithe (Bulverhithe) in the same County of Sussex and one fair there to last four days, to wit, on the vigil and on the day of the Annunciation of the Blessed Virgin Mary and for the two following days.

Provided always that those markets and fairs be not to the harm of the neighbouring markets and neighbouring fairs.

Given under our hand at Westminster the eighteenth day of June [1310]. By the King in Person, the Treasurer being his minister.

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Presentation of Thomas de Maudryn, clerk, upon resignation of Thomas de Lugore, to the prebendal church in the Chapel of the King's Castle at Hastings. (*P.R.* 3 Ed. II., m. 29, Oct. 29, 1309.) (Ribston by P.S., vacated because surrendered and cancelled.)

Presentation of William de Peuesye (Pevensey?) upon resignation of Robert de Hurle, to the church of Bolewardeshethe. 29th Feb., 1310. 3 Ed. II., m. 19.



## The Pope's Legate interferes with the Canons

same Arthur and his heirs to have and to hold for us and our heirs through the services due therefore and accustomed, for ever.

And we have granted to the same Duke the special privilege likewise that he, having possession of the same, may give and grant to the said John, the Earldom, Castles, lands and tenements aforesaid with the appurtenances thereof for him and the heirs of his body lawfully begotten to be held of us and our heirs by the abovementioned services for ever.

Provided always that if the said John should die, without heir of his body lawfully begotten, then the Earldom, Castles, lands and tenements aforesaid with the appurtenances thereof shall revert in full to the aforesaid Arthur and his heirs to be held of us and our heirs by the abovementioned services for ever. Being unwilling that the aforesaid Earl or his heirs of his body lawfully begotten or the aforesaid Arthur or his heirs, by reason of the premises, shall be rendered liable or disturbed or vexed in any way by us, our justiciaries or escheators, our sheriffs or bailiffs or other servants of ours.

Witness the King. Northampton, Aug. 2nd. By Writ under the Privy Seal.

Edward reached Berwick about the first week of November, 1310. He was there joined by Gaveston, with a troop of mercenaries from abroad. The following prohibition was addressed by the King from Berwick, on January 1st, 1311:—

To Master William Testa (Pope's Legate in England). Order prohibiting him from doing anything in prejudice of the late King's collation of Master Edmund de London to the Prebend of Brightling in the Free Chapel of Hastings, and ordering him to release the sequestration that he had made of the fruits of the same, as the King understands that he asserts that the above collation was invalid from the beginning, although the said Edmund was put into corporal possession of the same by the Dean and Chapter of that Chapel and has peacefully held it for 20 years and more, and that the said William maintains that the prebend is still void, and has caused the fruits of the same to be sequestered on account of the reservation made by the Pope of the first-fruits of ecclesiastical benefices falling void after that reservation to be paid to the Pope for 3 years, although the said Edmund held the said prebend long before that reservation, detaining the fruits thereof under sequestration and not permitting the said Edmund in anywise to dispose of the same until satisfaction be made to him for the fruits of the same for one year of the aforesaid reservation, or until he has shewn before the said William that the late King could so confer the prebend by his royal right, the discussion of which right pertains to the King alone. The King is much moved that those who dwell under his dominion and are honoured with benefices and rents, whereby it should behove them to assist the King in defence of his royal rights, should endeavour with all their might to impugn the said rights. (*Close Rolls*, 4 Ed. II., m. 12d.)

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June 5th, 1311. The King ordered John of Brittany, Earl of Richmond, his Seneschal of Gascony, and the Constable of Burgundy, to carry out his orders in favour of Constantia de Béarn. (Berwick-on-Tweed, Ry. ii. 136.)

*Papal Calendar*, f. 83.

1310. 8 Cal. March. Avignon. Letter to the Cistercian Abbot and Monastery of Robertsbridge. Appropriation of a prebend in King Edward's Chapel, in the Castle of Hastings, the rents of which consist of tenths in the Church of Salherst and Odimer, given to them by William de Etchingham and confirmed by the King and the Chapel of Mundefeld depending on the said prebend, to take effect on the death or resignation of the prebendary rector, the prebend and Chapel being served by chaplains, who are to be presented to the Bishop.

Mandate to Dean and Chapter of the King's Free Chapel of Hastings to assign a stall in the choir and a place in the Chapter to William de Pevesey, King's clerk, instituted rector of Bolewarehutte on resignation of Robert de Hurle. 1311, June 15th. (4 Ed. II., P. II., m. 6, Berwick-on-Tweed.)

Presentation of Ingelram de Carleton, King's clerk, to J. Bishop of Chichester for admission to the prebend in the Free Chapel of Hastings, void on resignation of Adam de Bilda (Blida). (1311, 5 Ed. II., m. 5, Westminster.) By P.S.

Mandate to Dean and Chapter for his induction. (5 Ed. II., m. 22.)

Commission to William de Monte Acuto and Master John de Percy to view the castles of Hastings and others. Such castles as are without keepers they are to commit to trusty men in

## Death of Arthur Duke of Brittany

Edward returned to London about the end of July, 1311. He was confronted in Parliament with ordinances directed against Gaveston. In vain he pleaded for his "brother Piers," who now once more fled the country.

In January, 1312, the King again marched northward, and was joined by Gaveston at York with more foreign mercenaries. Notwithstanding his former decrees, he now fully restored Gaveston, and published the fact throughout the realm. This caused an outbreak among the barons. Archbishop Winchelsea excommunicated Gaveston and his allies. In May Gaveston shut himself up in Scarborough Castle, where he was besieged by the Earl of Pembroke, Henry de Percy, and Robert Clifford, in flat disobedience to the orders of the King.

Gaveston was obliged to capitulate on May 19th, and on June 19th, 1312, he was beheaded in the presence of Earl Thomas of Lancaster at Blacklow Hill, near Warwick. The King, now seriously alarmed, issued his order to the constables of twenty-seven castles, and the mayors of sixteen towns, ordering them to guard the same effectually (this time Hastings is not mentioned) (*Ry. ii.* 173), but a general pardon was granted in October, 1313.

In 1312 John of Brittany, Earl of Richmond, was one of the sponsors at the baptism of Prince Edward (afterwards Edward III.).

On August 27th, 1312, Arthur Duke of Brittany died at the Castle of l'Isle, near La Roche-Bernard, aged fifty years. He was succeeded in his dukedom by his son John, who afterwards, in 1334, became Earl of Richmond according to the settlement of 1310.

The next few years were full of fearful misery for England—famine, pestilence, and murrain. Even the King, usually so frivolous and thoughtless in the common affairs of life, seems to have been touched by the misery which he saw on every side, as compared with the wanton luxury and heartless prodigality of his own Court and among the baronage. Accordingly on August 6th, 1315, he issued a remarkable ordinance, limiting the number of dishes served at the tables of the nobles throughout the realm. (*Close Roll*, Langley, 6th Aug., 9 Ed. II., 26d.)

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those parts, and to report to the King their names, etc. The constable of the castle is ordered to obey them. (By the King at York. *P.R.* 5 Ed. II., *m* 22d., 28th January 1311.)

5 Edward II. The jurors after the death of Matthew de Hastings found "That he held of John of Brittany two Knights' fees at Neddresend (Netherfield?), and paid 31 shillings Castle Guard at Hastings Castle." (*Inq.* No. 7.)

Presentation of Richard de Elsefeld to the prebend of Pesemershe, late of Robert de Burghesshe. (By the King, 6 Ed. II., P. I., *m*. 24. 17th July, 1312, Westminster.)

Mandate to Chapter, etc. (28th August, Westminster. 6 Ed. II., P. I., *m*. 20.)

William of Echingham was found to hold the manor of Ocham of John of Brittany, as of the Barony of Hastings. (*Inq.* 7 Ed. II., No. 107, 1313-14.)

Wm. de Echingham holds the manor of Udimer (Udimore) of John of Brittany. (*Inq.* 7 Ed. II., No. 107, 1313-14.)

The jurors say that William of Echingham holds the manor of Echingham of John of Brittany, as of the barony of Hastings. (*Inq. P.M.*, 7 Ed. II., No. 107, 1313-14.)

Grant to Nicholas Fermbaud, King's clerk, of the Deanery of the King's Free Chapel of Hastings. By the King on the information of E. de Malo Lacu. Writ *de intendendo* for him, directed to the Chapter of the Chapel. (1312, 1st September, Westminster. *P.R.*, 6 Ed. II., P. I., *m*. 20.)

Presentation of Thomas de Redynges to portion of Prebend of Wretelyng (Wartling), late of William de Lewes. (31st October, 1312. 6 Ed. II., *m*. 12-11.)

Mandate to Dean and Chapter, April 28th, 1313.



## Miscellaneous Orders and Appointments

England was bordering on a state of anarchy, while the ships of the Cinque Ports were ordered to do their service in Scotland. Edward, deserted by his nobles, suffered a crushing defeat at the hands of the Scots at Bannockburn, June 24th, 1314.

For the next few years England was in a very unsettled condition, and in the

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8 Ed. II. (April 15). Order (*inter alia*) to the Dean of the "Free Chapel of Hastingges" to appoint certain persons in whom he can confide, to collect a tenth of the benefices pertaining to the Chapel which is exempt from the jurisdiction of the Ordinary—so that the collectors have a moiety of the money at the Exchequer at the Feast of the Finding of the Holy Cross, and another moiety on the morrow of the Exaltation of the Holy Cross next, in the same way as the King hath enjoined the Bishop.

### *Pat. Rolls.*

Presentation of John de Snodland to the portion of the prebendal church of Wretlyng, in the diocese of Chichester, in the King's Free Chapel of Hastings, which Ingelram de Carleton, deceased, lately held. By P.S. 1314, Jan. 8th, Windsor.

### *Pat. Rolls.*

Presentation of Richard de Aylesbury, Chaplain, to the prebendary church of Holyngton, in the King's Free Chapel of Hastings, in the diocese of Chichester. 1314, Feb. 3rd, Windsor.

### *Pat. Rolls.*

Mandate to the Dean and Chapter of the King's Free Chapel of Hastings to assign a stall in the choir and a place in the Chapter to Richard de Aylesbury, King's clerk, whom the King presented for the prebendal church of Holyngton in that chapel, void and in his gift, to J. Bishop of Chichester, who admitted him to the church and instituted him as prebendary therein. 1314, March 26th, Westminster.

### *Pat. Rolls.*

Protection for one year, without clause, for Nicholas Fermbaud, parson of the prebendal church of West Thurrok. 1314, Sept. 14th, York.

Presentation of William de Molton to the prebendal portion of the church of Wretlyng, in the diocese of Chichester, in the King's free chapel of Hastings, lately held by Thomas de Redinges, which is in the King's gift. By K. Sept. 13th, York.

Commission of Oyer and Terminer to Robert son of Walter, William Inge, Henry Spigurnel and John de Wengrave, on complaint by Nicholas Frembaud, King's clerk, parson of the prebendal church of Westhurrok, that Thomas de la Strebe, Walter Jonesman de Briannzonn, Benedict de Ditton, John Elys, John Corpede, Reginald le Taillour, William Dereman, and Joan, late the wife of Ralph de Capton, together with others, assaulted him at West-Thurrock, County Essex, carried away some of his goods and burned other goods of his, and afterwards went about armed by day and night having plotted to kill divers of his men and servants, so that neither he nor his servants dare make any stay in those parts. By K. and C. 1314, Sept. 18th, York.

Grant, for three years, to the bailiffs and good men of Hastings of quayage upon all wares brought by water into the town for sale. July 15th, 1315, 9 Edward II., P. I. m. 29, at Langley.

Presentation of Adam de Ponte Fracto (of Pontefract) to the prebendal portion of Wertlyng, in the diocese of Chichester, in the King's Free Chapel of Hastings, void by resignation of William de Melton, late parson thereof. By K., on the information of Roger de Northburgh. July 31st Langley.

### *Pat. Rolls, Ed. II.*

Mandate to the canons of the King's Free Chapel in the Castle of Hastings to assign a stall in the choir and place in the Chapter to William de Melton, King's clerk, whom J. Bishop of Chichester has admitted, on the King's presentation, to the prebendal portion of the church of Wertlyng in the Chapel, which Thomas de Redynges lately held. 1315, August 30th, Lincoln.

Presentation of Adam de Pontefract to the prebendal portion of Wertlyng, in the King's Free Chapel of Hastings in the diocese of Chichester, void by the resignation of William de Melton, late parson of that portion. By K. on the information of R. de Northburgh. 1315, Ditton.

Mandate to the Canons of the King's Free Chapel of Hastinges to assign a stall in their choir

## Bull concerning privileges of Royal Chapels

early part of 1317 petty warfare broke out between the Earl of Lancaster and Earl Warren, the King siding with Warren.

The Scottish King Bruce took advantage of the confusion to seize Berwick (April 2nd, 1318). This hastened a settlement between Lancaster and the King (August, 1318). Among the King's sureties to the treaty was John of Brittany, Earl of Richmond. On August 9th, 1318, a new Council was nominated, the Earl of Richmond being a member.

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and a place in their Chapter to Adam de Pontefracto, King's clerk, whom J. Bishop of Chichester had admitted, upon the King's presentation, to the prebendal portion of the church of Wertlyng, in the said Chapel which William de Melton lately held in the same, and instituted him prebendary thereof. 1316, March 3rd, Clipstone.

Presentation of Richard de Ayremynne to the prebendal portion of Wryteling in the King's Free Chapel of Hastings in the diocese of Chichester, void by the death of Adam de Pontefracto, late parson of that portion. 1316, July 19th, Westminster.

A BULL OF JOHN XXII. POPE CONCERNING INHIBITIONS THAT NO ATTEMPT SHOULD BE MADE AGAINST THE EXEMPTIONS OF THE KING'S FREE CHAPELS.

*A.D. 1317, An. 10, Ed. II. From the original in the Exchequer Court Treasury.*

John Bishop, Servant of the Servants of God, to his very dear son in Christ, Edward, the illustrious King of England, Greeting and Apostolic benediction.

So much the more readily do we grant a ready assent to the prayers of your Highness as we do specially regard you in the Lord among Christian Kings and Princes as a beloved and devoted son. Therefore inclining our ear to your supplications we straitly forbid any Ordinary or Delegate or Sub-Delegate to promulgate (to publish) any sentence of excommunication or interdict against the King's chapels and the oratories thereof immediately subject to the Church of Rome or against the canons and servants of the same, contrary to the tenour of the privileges and indulgences of the Apostolic See; or to impose upon them any burden which is not used to be imposed on other exempted churches without a special mandate from the Apostolic See making express mention of this inhibition. Let no man whosoever infringe the letter of this our inhibition.

Avignon, April the First, in the first year of our Pontificate. (With threads of yellow and red silk.)

(1 Pope John XXII.) Provision of a canonry at Hastings—To Lambardinus, son of Frederrick Lercarius (*Papal Registers*). 1317, 12 Kal. April.

Presentation of Master John de Stretford to the Prebend of Stone in the King's Free Chapel of Hastings in the diocese of Chichester, void by resignation of Nicholas de Cadomo (of Caen), the last prebendary thereof. By P.S. Feb. 19th, Clarendon.

A mandate to the Canons of the King's Free Chapel of the Castle of Hastings, to assign a stall in the choir and a place in the Chapter to Richard de Ayremyng, King's clerk, whom J. Bishop of Chichester has admitted on the King's presentation to the prebendal portion of the church of Wertlyng in the said Chapel, late of Adam de Pontefracto. 1317, March 1st, Clarendon.

Mandate to the Canons of the King's Free Chapel of the Castle of Hastings to assign a stall in the choir and a place in the Chapter to Master John de Stratford, King's clerk, whom J. Bishop of Chichester has admitted on the King's presentation to the prebend of Stone in the said Chapel. May 22nd, Westminster.

Presentation of Richard Camel to the prebendal church of Marlepast in the King's Free Chapel of Hastings in the diocese of Chichester. 1317, June 16th, Westminster.

Provision at the King's request to Richard de Ellesfield. He was then Canon in the Free Chapel of Hastings (*Papal Register*, John XXII.). 1318.

Receipt from John Tuynem, receiver of the moneys of Sir John of Brittany, Earl of Richmond, in the barony of Hastings, to John Fillol and William de Northo', appointed to collect and levy the King's scutage in Surrey and Sussex for the Scottish armies in the 28th, 31st and 34th year of Ed. I., and who afterwards were appointed to the King's writ to pay to the said Sir John of Brittany the scutage of the tenants of the barony for the years 31 and 34 Ed. I., for £16 2s., scutage of the tenants of the said Sir John Lyne, the Saturday before St. Alphege. 12 Ed. II.







IVORY WRITING-TABLET (fourteenth century), representing the crowning of the Blessed Virgin Mary. Found among the ruins of the Collegiate Church, 1811. (See page 548.) Slightly enlarged.

*Plate IV. Vol. I. To face p. 147.*



# Constitutions of the Royal Free Chapel

## THE CONSTITUTIONS OF THE KING'S FREE CHAPEL OF ST. MARY IN THE CASTLE OF HASTINGS,<sup>1</sup>

made, ordained and confirmed in the said Chapel by consent of the Canons then and there present and the lawful Proctors of the absent Canons at the day, place and year under and above written.

In the Name of God Amen in the year from the Incarnation of the same according to the course and computation of the English Church one thousand three hundred and nineteen, Indiction III., month of September the twenty-fifth day and the two days immediately following, in the Chapel of the Blessed Mary in the Castle of our Lord the King at Hastynges, in presence of me the Notary Public within written and of the witnesses underwritten, the Venerable and discreet men, Master Edmund of London, Dean or Warden of the Deanery of the Chapel aforesaid, and Sir Nicholas Frambaud, John de Snodelonnde, Richard de Aylesbury, Roger de Pourtes, and Sir Walter de Harpam personally, Sirs John de God . . . ,<sup>2</sup> Richard de Ayremynne, and Richard de Elesfelde, by Sir William de Harpam his Proctor lawfully constituted and Master John de Str . . . by Sir William de Harpam his Proctor appointed, Canons and Prebendaries of the Chapel aforesaid, treating upon the state of the said Chapel, Canons, Prebendaries and Vicars and also of others ministering in the same by their unanimous assent and will, diligent treaty being had in common by the same, to the praise of God and the Glorious Virgin his Mother, in whose honour the said Chapel being dedicated is named, and for the increase of Divine worship, have with common consent published, ordained and decreed the Statutes underwritten to endure in time to come for ever, the tenours of all which immediately follow under.

In the Name of God Amen. We the Dean or Warden of the Deanery of the Chapel of our Lord the King in the Castle of Hastynges and the Canons present and the Proctors of the absent Canons in the same to the praise and honour of God and of the Glorious Virgin his Mother and the increase of Divine worship in the said Chapel by common deliberation and consent for the perpetual memory of the matter have ordained and decreed for us and our successors That out of the offerings and obventions coming to the said Chapel to be ordained upon repair of the necessary defects which chance to be found as often and when it shall be needful that is to say, the covering the roof of the Chapel and of the body of the Church, the providing of the vestments and ecclesiastical ornaments, the requisite books, and other necessities touching the Chapel abovesaid. Also, concerning the state of the Vicars, as to three things: first, that they be able and sufficient in reading and singing to serve the aforesaid Chapel; second, that they be continually instant in the Divine Services, and not roving through the country; third, that they be of honest life, report and conversation. And if for three times they be convicted of the contrary *ipso facto* they shall be removed from the said Chapel without contradiction according to the ancient customs approved and used in times gone by in the Chapel aforesaid. Likewise also concerning the state of the Sacrists, to whose hands offerings first come, it is ordained that whensoever they are found unfit they shall be removed, and that the offerings obtained by those elected for this purpose shall be laid up in a safe place, that is to say, in boxes fastened with locks, and that thereupon they shall swear that they will collect them faithfully, and without making any diminution. Also that at the beginning of every of the four principal terms in the year, out of the offerings aforesaid there shall be fully satisfied to every of the said Vicars, behaving himself well and honestly, for the whole term to come for his commons, so far as the power extends, that is to say, by the receipt of twopence a day. And that two Vicars sworn shall be elected who shall receive the commons of the Vicars and distribute the same to them every week, as their manners and deserts shall require, according to the ancient customs abovesaid. And if anything through their demerits shall remain, it shall be distributed among the Vicars and Canons residing at the judgment of the Dean or his Vicegerent according to the customs abovesaid. Also as to the residence of the Canons, it is ordained that in every quarter of the year those willing to reside shall make a stay of six weeks continuously and that they shall be present at least at one of the Masses, or some one of the hours of the day every day during the residence aforesaid in suitable habit according to the state of secular Canons. And if any of those residing by himself honestly make his residence to the end that he may do this there shall be found suitable buildings. And that from now every one of the Canons, as well residing as not residing, shall receive out of the offerings, obventions and other common goods by the hands of his Vicar as much as he hath been hitherto accustomed and bound to pay to his Vicar for his annual stipend out of the body of his

<sup>1</sup> From the Visitation, 1322.

<sup>2</sup> Parchment in places has perished here.

## The Canons' Residences

prebend which shall wholly remain to his Vicar for his stipend abovesaid if he shall behave himself. The stipends being truly paid and the commons of the Vicars and also other necessities in any wisoesoever arising to the said Chapel, there shall be distributed at the disposition of the Dean or his Vicegerent the residue of the offerings, obventions, rents and other common goods among the Dean or his Vicegerent and the Canons residing in every fourth part of the year, the first of residence beginning on the Feast of St. Michael next coming, and so for the several years ensuing. And if, in the case arising, any one of the Canons shall not make the residence decreed in manner and form abovesaid in the first two terms; that is to say, of Saint Michael and the Nativity of our Lord, he shall be wholly excluded from the receipt of the obventions and offerings aforesaid, for that year. Concerning the houses also of Godelound, although it hath been ordained by common consent that these houses shall be committed to the Canons of the Chapel aforesaid, or to others for a certain farm yearly to be paid to the same Chapel as in past years it hath been wont to be rendered: it is nevertheless agreed that the Dean or his Vicegerent, when the houses aforesaid shall be so delivered to farm, on his arrival shall be lodged in the same. And if it happen that the Dean or his Vicegerent shall wish personally to make continuous residence, preference shall be given to him for inhabiting the houses aforesaid before all others, yielding to the Chapel aforesaid the farm thereof due and accustomed. These things were enacted and done in the Indiction, month, days and place beforenamed. Present the Reverend men and discreet masters Robert de Pikeham, Thomas de Selkedene, Peter Alpays, Stephen of Canterbury, Thomas de Stenyng, Chaplains, witnesses specially called and requested for the premises, and others in great multitude.

And I Robert de Wenegrave clerk of Lincoln by authority of the Holy Roman Empire Notary Public and Judge ordinary all and singular the premises as [above they] are written being enacted and done together with the witnesses before named was present and those things all and singular so to be done I have seen and heard; and at the request of the abovesaid venerable men the Dean or Warden of the Deanery of the Chapel abovesaid, and of the Canons present and Proctors of those absent, I have made this public instrument setting thereto my customary sign in witness of the truth of all the premises. That which is seen erased above in . . . of this word . . . sixth of this word "non" in the lines going up with my own hand I have written and corrected before the setting of my sign. The interlineation of this name John de Snodelounde I have likewise written and corrected in the third line coming down.

Owing to the favouritism shown by the King to the Despensers, the wrath of the barons was again aroused. Ultimately the Despensers were condemned by Parliament to exile and forfeiture (July, 1321). On October 16th in the same year, owing to an insult offered by Lady Badlesmere to the Queen, in refusing to admit her to Leeds Castle (near Maidstone, in Kent) Edward ordered the men of Sussex, Kent, Essex and Surrey to assemble before that Castle by the 23rd of October, but on October 27th a settlement was effected by the mediation of the Archbishop and the Earl of Pembroke. The King, now finding himself strong enough, led his army northward against his ever-rebellious nobles. With him marched the Earls of Richmond, Warren, Norfolk, Arundel, and Pembroke. Success smiled on their banners: Lancaster was taken prisoner at Boroughbridge, on March 16th, 1322, and six days later he was tried and condemned in the presence of the King, the Earl of Richmond and the before-mentioned Earls, as a rebel taken in arms against the King and as a traitor in league with the Scots (*Gesta Ed. de Caernarvon auct. Bridlingtoniensis*). Badlesmere was captured at Slow Park, and was executed on his own lands in Kent (April 14th), while his

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1320, 17th June (13 Ed. I., Pat. Roll, m. 2d).

Thomas de Werche and Gilbert Walet acknowledge that they owe to Master Edmund de London, a Canon of the King's Free Chapel in the Castle of Hastings £13 4s. to be levied in default of payment, on their lands and chattels in the county of Sussex. Witness Aymer de Valence, Earl of Pembroke (cancelled on payment).



## Visitation of the Chapel 1322

wife and family were sent to the Tower, in revenge for the insult offered to the Queen.

Roger Mortimer, one of the rebels, was sentenced to imprisonment for life. Edward, exulting in his new-found strength, held a Parliament at York (May, 1322), at which the Ordinances thrust upon him some years before were revoked. In October he marched against the Scots, but with scant success. On the 14th of that month the King, misled by his scouts, was nearly taken at Thirsk,<sup>1</sup> and John of Brittany was captured there (*Ann. Paulini*, 1321). The King fled to Bridlington (October 15th).

### VISITATION OF THE ROYAL FREE CHAPEL IN HASTINGS CASTLE. COMMISSION (*circa* 1322).<sup>2</sup>

The King to his beloved clerks Masters Jordan Moraunde, John of Blebury, Henry of Canterbury and Elias of Saint Albans Henry de . . . Greeting. Whereas by frequent complaints of divers persons it is brought to our ears that in our Free Chapel within our Castle of Hastings which is exempt and free from all ordinary jurisdiction there are very many defects in the ornaments, books, and other things belonging to that Chapel And that the officers and other ministers of the same Chapel neglect to officiate in due manner in the said Chapel and to do and practise those things which fall upon them, although they continue to receive their appointed stipends. And what is worse raise among themselves quarrels contentions and scandals out of which perils are very likely to come and that certain of the [? said ministers]<sup>3</sup> heretofore lead a notoriously dissolute life and that the offerings which out of the pious devotion of the faithful are brought to the said Chapel in honour of the Holy Cross and which ought to be collected by two Sacrists deputed and sworn therefor by the Dean and Chapter of the same Chapel and to be kept for the repair of defects of the said Chapel for the payment of commons and stipends of Ministers of the same and of other charges there arising to be converted at the disposition of the Dean, are often collected and carried away by others than those deputed by the said Dean and Chapter and are applied there to other uses by their usurpation in diminution of the Divine Services and detriment of the said Chapel and contrary to the ordinances and statutes heretofore there observed We willing not to leave the premises uncorrected and trusting to your circumspection and industry have assigned you all, three, or two of you to visit the Chapel aforesaid, the Dean, Canons residing, Vicars, and other Ministers and Officers of the same whomsoever and to survey the state of the said Chapel, books, ornaments and other things belonging to the same Chapel and to inform yourselves all, three, or two of you as well by examination as by enquiry to be taken on oath of the Ministers of the Chapel aforesaid and other honest and lawful men of those parts by whom the truth of the matter may be better known and enquired upon the defects and excesses abovesaid and to cause those defects to be repaired and excesses to be corrected and also to punish and chastise all those who shall chance to be found guilty in the premises as according to the ordinances and statutes of the same Chapel and otherwise shall reasonably be to be done And therefore we command you that at certain days which you all, three, or two of you shall provide for this purpose going personally to the aforesaid Chapel you do and fulfil all and singular the premises in form aforesaid and the business being despatched that you do certify us in this behalf distinctly and openly under the seals of you all, three, or two of you for we have commanded as well the Warden of our Cinque Ports as our Sheriff of Sussex that at certain days which you all, three, or two of you shall make

<sup>1</sup> At Byland (*Gesta Ed. Caenarv. Bridlington.*).

<sup>2</sup> *Miscellaneous Chancery Roll*,  $\frac{4}{13}$  m. 1.

<sup>3</sup> Parchment defective here.

### 15 Ed. II., 13th April.

By the King at Pontefract. To the Keeper of the Castle of (*inter alia*) Hastings. Ordered to amove from that Castle the munition of men that the King lately caused to be put therein by reason of the late disturbances in the realm, and to keep the Castle in the same way as before the disturbances and to cause the King's victuals to be kept safely at the Keeper's peril, and to cause the victuals which will not keep (*que se custodire non possunt*) to be sold, and to cause others to be bought in their place, and to cause them to be thus renewed as often as may be necessary, as the King wills that the victuals thus kept and renewed shall be at the Keeper's risk, and he is writing to the Treasurers and Barons of the Exchequer to cause him to be charged therewith.

## Inquisition as to State of Chapel 1322

them know they shall cause to come before [you all, three, or two of you]<sup>1</sup> in the Chapel aforesaid so many and such honest and lawful men of those parts in their bailiwicks by whom the truth of the matter in the premises may be better known and enquired and that they obey and assist you all, three, or two of you in all and singular the premises. We have also commanded the Dean and Chapter of the said Chapel and our Constable of the Castle aforesaid or his lieutenant that in all and singular the premises they obey and assist you all, three, or two of you in form aforesaid. In witness whereof we have caused these our letters to be made patent Witness ourself at Westminster the twenty-sixth day of August [year torn away].

### *Inquisition, circa 1322.*

By authority of this mandate we Jordan Moraunde, John of Blebury and Elias of Saint Albans—Master Henry of Canterbury by special precept of the said King excusing himself—at the said Chapel of our Lord the King and sitting in that Chapel [? causing to come] before us Master Edmund de London Dean of the said Chapel, Sirs Roger de Portes, John de Snodylonde, . . . Canons residing in the said Chapel, Robert de Pigeam, Thomas de Silkedene, Stephen de Canterbury, Ralph de Teye, . . . John de Kilkenni, Thomas of Saint Albans, Robert de Billesdone, Thomas de Snodylonde, John de Beverle, Robert de . . . and Thomas de Stenyng (who said that he is Vicar of Master James de Berkele) Canons of the same Chapel appearing . . . John Roger and Richard Goldewyn lieutenants of Richard de Ellesfelde Constable of the said Chapel, appearing also there, the Bailiff [? of the Rape of] Hastynges with honest and lawful men of his bailiwick according to the form of the mandate of our Lord the King aforesaid appearing also the bailiff of Hastynges lieutenant of the Warden of the Cinque Ports in the port of Hastynges with honest and lawful men of the same town in sufficiency in the presence of all the aforesaid we have caused to be read the mandate aforesaid of our Lord the King thereafter for enquiring the truth of the things contained in the Commission aforesaid we have caused to be put to oath the said Dean, Canons, and Vicars and also the laymen John de Setynton (? Stoynton), Robert de G . . . nge, Alan Knight, John de Thekton (? Thelton), William Fraunceys, Andrew de Estetone, Sampson de Stenyng, John Martyn, John . . . , Andrew Petre, William atte Elme (? Clive), John atte Glynde, William Ingeram, and Reginald Hane which laymen being so sworn we have explained the articles contained in our said Commission and have charged them that by their oath concerning all and singular the aforesaid articles they tell the plain and whole truth intermingling nothing false nor omitting anything true Thereafter the said laymen drawing themselves aside we examined the aforesaid Dean, Canons, and Vicars one by one upon all and singular the articles contained in the said Commission.

Master Edward of London Dean of the said Chapel being examined upon the state and condition of the said Chapel deposeth and exhibiteth instruments, to wit: the charter of the Count of Eu formerly lord of the Castle aforesaid; and also the statutes afterwards published and observed; the articles of Visitation made in the said Chapel at the command of our Lord the King father of the now King; whereby the state of the Chapel abovesaid may sufficiently appear; the tenours whereof immediately follow—

Here follow—(1) A recital of Earl Henry's Charter (see p. 21); (2) The appointment made in the Free Chapel upon the constitutions and customs to be observed in the same—Witnessed by Brother Wm. de Feversham *circa* 3 Ed. I. (see p. 111); (3) Transcript of the Constitutions ordained and confirmed 25th September, 1319 (see p. 147); (4) The Articles of Master Ralph de Merlawe Clerk of the illustrious King of England and Proctor and Warden of his Free Chapels, ordered to be observed, etc. (see p. 114).

Which instruments being so exhibited upon the state and condition of the Chapel aforesaid the Dean was asked concerning the defects of the books and ornaments and other defects in the same Chapel, that is to say; by whom or by whose negligence, many defects happened. He saith that by the common counsel of the said Chapter moneys up to the amount of twenty pounds were put in the hands of Roger de Portes Canon and Robert de Pigeam Vicar for repairing the defects of the said Chapel: also that in the Chapel aforesaid there are ornaments in sufficiency. Of the books also he saith that they are there in sufficiency, this excepted, that there are wanting two Antiphons<sup>2</sup> and two Graduals<sup>3</sup> for the restoration of which he immediately there in our

<sup>1</sup> Parchment defective here.

<sup>2</sup> Antiphons—books containing the Anthems, Invitatories, Hymns, Responses, Verses, and Little Chapters.

<sup>3</sup> Graduals—books containing portions of the Service of the Mass.



## Dissolute Behaviour of the Vicars

presence offered a certain good and suitable Antiphon of Sarum use. As to the remaining books which were required to be made he appointed there in our presence a certain Vicar in the stall of Geoffrey de Clare which was then void, who should write and make them. And the said Dean appointed a salary to him, and the said Vicar undertook that task. Also asked, whether any were Ministers in the said Chapel who neglected to officiate there in due manner and according to the statutes of the said Church, although they received their customary stipends, exciting quarrels, contentions and scandals among themselves, and leading a dissolute life. He saith when it happens that any of the Ministers of the said Chapel neglecteth his office he is punished by the withdrawal of stipends or commons according to the form of the statute above noted. He saith also that Robert de Pigeam, Thomas de Silkedene, Stephen of Canterbury, Peter de Mortimer, Ralph de Tay and Thomas de Stenyng, who behaveth himself as Vicar of the said Chapel, are wont to wander through the country without reasonable cause and without leave and so to leave the Chapel without any office. Although they have been frequently punished by withdrawal of commons according to the form of the statute, they remain nevertheless incorrigible. They are also quarrelsome and contumelious, disobedient to their superiors, and sowing discord between the Canons residing and not residing and otherwise they lead a dissolute life. Also they at night took away the box of offerings at the foot of the Cross, though strengthened with iron bands, out of which box were wont to be met all the charges of the said Chapel according to the disposition of the said Dean. Also the said Vicars induced John Roger and Richard Goldewyn and William de Gisors laymen, Lieutenants of the Constable of the said Castle, to expel the Vicars from their dwellings within the said Castle, which the Vicars and Ministers of the said Chapel were accustomed to inhabit: as appeareth above in the Charter of the Count of Eu. Also they induced the same laymen to expel from their chambers situate within the Chapel aforesaid the Sacrists from old time deputed for the custody of the Chapel and for receiving pilgrims flocking thither as well by day as by night in honour of the Blessed Virgin and the Holy Cross, and to take away from the said Sacrists the keys of the Chapel of the chambers aforesaid, of the Treasury of the Chapter, and of the belfry, that so at their own will they might dispose of the goods and treasure of the said Chapel contrary to their oath and the statute of the Chapel aforesaid and [*End of Membrane 3*] [*Membrane 4*] grave prejudice of him the said Dean to whom it belongeth to depute Wardens Sacrists and other Ministers in the same Chapel and also in contempt of our Lord the King. Also the said Vicars by force and arms resisted the carpenters and denied them entrance for making repair of the defects<sup>1</sup> . . . and of the belfry whereby many defects remain there beyond the coming winter to be repaired.

Roger de Portes, John de Snodeland and John de Stagenho, canons in residence; John de Kilkenny, Thomas of Saint Albans, Robert de Billesdone, Thomas de Snodeland, John de Beverle and Robert de Maddele, Vicars, asked upon all and singular the articles aforesaid, say; That the said Dean in all things and by all things, this excepted, that they say that Stephen of Canterbury is not guilty of taking away the box and money. John Roger and Richard Goldewyn, Lieutenants [*tenentes locum*] of the Constable of the said Castle, Robert Marlepas and William Serjaunt, Bailiff of the liberty of the Port of Hastings and Lieutenant [*tenens locum*] of the Warden of the Cinque Ports in the said Port, examined upon the articles aforesaid, say; That the aforesaid Robert de Pygeham, Thomas de Silkedene, Ralph de Tay, Peter de Mortimer, and Thomas de Stenyng abstracted the box—up to what amount they know not—and carried it away in prejudice of the Dean to whom pertaineth plenary administration of the Chapel aforesaid, the distribution of stipends, and the paying of charges whatsoever. Asked whether they did this in contempt of the King, they say—That they know not; but they said that this was to be left to our discretion. They say also that the aforesaid Robert, Thomas, Ralph, Peter, and Thomas induced the Constable and his Lieutenants in the Castle aforesaid to expel the Sacrists, deputed by the Dean, from their chambers; and the other ministers from their dwellings within the Castle aforesaid; and also to carry away the keys of the chambers aforesaid, of the vestry, treasury of the Chapter, of the chapel, and of the belfry, that they themselves might by their own authority depute Wardens and Sacrists of the said Chapel. Asked how long they saw that the Sacrists lay in the Chapel, and the other ministers dwelt in their houses within the Castle aforesaid, they say; That in their whole time they have seen this, and that those houses were built within the Castle out of the treasure and goods of the said Chapel, and constructed with that intent and to that use, that the Vicars and Ministers should dwell in them, so that they might be prepared and ready for service of the said Chapel night and day. Moreover Robert Marlepas says that from

<sup>1</sup> Parchment defective here.

## The Vicars' Residences

his boyhood he was brought up in the said Chapel by a certain vicar who was his uncle and always for fifty years and more he has seen and known the things aforesaid. They say also that the aforesaid Robert, Thomas, Ralph, Peter, and Thomas by their own authority removed the Sacrists deputed by the Dean and collected by themselves, and caused to be collected by others, the offerings of the said Chapel, not permitting the Dean or his [deputies] to intermeddle with the same.

Robert de Pigeham, Thomas de Silkedene, Ralph de Tay, Peter de Mortimer, and Thomas de Stenyngge, asked whether they were sworn to observe the statutes and customs of the said Chapel, say that it is so. Also asked whether the distribution of stipends and payment of all charges concerning the offerings aforesaid appertain to the Dean of the Chapel according to the form of the Statute aforesaid ; they say, that it is so. Also asked whether the appointment of the Sacrists of the said Chapel appertaineth to the Dean ; they say, that it is so. Also asked whether the collection and bestowal of the offerings coming to the said Chapel, ought to be made by the Sacrists deputed by the Dean (as is premised) according to the form of the Statute aforesaid ; they say, that it is so. Also asked whether the Dean had given to them any power of retaining and collecting the offerings of the said Chapel in his name ; Or of removing the Sacrists deputed by him, and of substituting others in their stead, they say ; Not. Also asked whether they abstracted the box with offerings at the foot of the Holy Cross and carried it away, they say, that it is so. Nevertheless they say that they did this by the authority and assent of their Canons not in residence, namely, Richard de Ellesfelde, Richard de Bynteworth, and William de Cusaunce. Asked concerning the amount of money, they say, they do not know. They say also, that they put the said boxes with the money collected in them in a certain place until they had received from their masters aforesaid a command as to what ought to be done therewith. Asked whether for this they had a special command from their masters, they say, that it is so. Nevertheless they exhibit nothing. Asked how the collection and distribution of the offerings aforesaid appertain to Canons not residing, they say, that it seemeth to them that because they are Canons of the said Chapel it concerneth them to see that all things be rightly done ; and that they have done no injury to the said Dean or his vicegerents, or to the Canons in residence, or contempt to our Lord the King ; and that they are of good and honest conversation they put themselves upon the country. Also asked concerning the behaviour of the Dean ; namely, how he behaveth himself in those things which pertain to the office of Dean, they say that he is a good man, conducting himself well in his office, but nevertheless he is sometimes led by the Canons in residence to do some things opposed to the estate of the Vicars. Also they say that Robert de Billesdone, John de Beverle, Robert de Maddele and Thomas de Snodelonde on the day of the Translation of Saint Martin in summer last (November 11th, *sic.*) broke open the box at the Cross, and carried away the whole of the money then in the same. And asked whether they know of any money received out of the box, they say, that they saw a certain quantity of money collected by the aforesaid Robert, John, Robert, and Thomas, amounting to seven shillings which (as they believe) never entered the box, or came to common uses. Also asked concerning their conversation, they say that they know nothing evil of them other than is aforesaid. And the aforesaid Robert, John, Robert, and Thomas spoken to thereof by us, put themselves upon the country ; and being examined concerning the conversation of the aforesaid Robert de Pigeham, Thomas de Silkedene, Stephen of Canterbury, Peter de Mortimer, and Ralph de Tey, they say, that they are disobedient to the Dean and Chapter and wander through the country, leave neither asked nor obtained, neglecting the office of the Chapel aforesaid. And that they took away the box from the foot of the Cross and another box at night from the High Altar, and carried them whither they would.

And the Inquest, deliberation being had upon the premises, cometh and saith : As to the state of the Chapel, the dwellings on the west side of the Chapel, within the Castle aforesaid, were constructed out of the goods of the said Chapel, and built for the habitation of the Vicars and Ministers of the said Chapel and they have seen the whole of their time that the Vicars of the said Chapel have inhabited and have been accustomed to inhabit those houses. Also as to the estate of the Deans and Canons residing, whether (that is to say) they minister in due manner in the said Chapel, and according to the Statutes of the Chapel, the Inquest saith, that they have no knowledge of the Statutes and therefore that article is left to our judgment ; and in like manner the article concerning ornaments. It saith also that Robert de Pigeham, Thomas de Silkedene, Stephen of Canterbury, Ralph de Tay, Peter de Mortimer, and Thomas de Stenyngge, who calleth himself Vicar of the said Chapel stir up contentions and quarrels in the same whereby scandals arise in the country ; And that they are disobedient to the Dean and Chapter ; and that, confederated together, they by night, violently and maliciously, took away a strong box at the foot of



## Gross Immorality of the Vicars

the Cross, and another at the High Altar, with the sums of money—how much they know not—then being in them; but whither they carried them it knoweth not. And it saith that this is in prejudice of the Dean, to whom pertain the collection and distribution of the money aforesaid, and also to the detriment of the Chapel and its Ministers; But whether they did this in contempt of the King or not is left to our judgment. It saith moreover that Stephen of Canterbury above named is not guilty of the taking or carrying away of the boxes and money aforesaid; but it saith that the aforesaid Stephen and Thomas de Stenyngge maintain certain women who are harlots under the guise of poor persons and impregnate them. And then they go away, and when they have brought forth they return to perpetrate the like act. And that Peter de Mortimer by night entered the house of John Randolf and there by force overcame his daughter, Anina by name; and of that deed, talk and report spreadeth in the country and scandal is engendered in the Chapel aforesaid; and that the said Peter is a vagabond and frequenter of taverns. Also asked concerning the estate of the Sacrists, whether they ought to stay in the Chapel and lie there at night for custody of the Chapel and the light, and receiving pilgrims, it saith that always hitherto from the time of their memory two Sacrists deputed by the Dean and Chapter have been wont to stay in the Chapel aforesaid by day for collecting offerings, and by night likewise for receiving pilgrims; and for this purpose are deputed two chambers in the same Chapel; one near the entrance, low for eating, and a solar on the west side of the Chapel for their beds. Also because Robert de Billesdone, John de Beverle, Robert de Maddele and Thomas de Snodelond [are said] to have broken open the box at the foot of the Cross and to have carried away a certain quantity of money amounting to seven shillings collected out of the box, as well John Roger and Richard Goldwyn say at the aforesaid Inquest, that the aforesaid Robert, John, Robert, and Thomas are in no wise guilty. They say also that they are of good and honest conversation. Also asked whether Thomas of Saint Albans, Vicar of the said Chapel at any time broke any . . . <sup>1</sup> and by means of that breaking drew out or enticed any woman, as was imputed to him by certain persons; they say all, in peril of their souls, that he did not; but had himself well, and conducted himself well, from the time in which he hath served the aforesaid Chapel.

Concerning moreover Thomas de Wychio, he was denounced by the Dean and Chapter because he hath publicly kept, and still keepeth a woman, Agnes Sibly by name, and from her hath begotten nine sons and daughters and many times hath abjured her, as was found in a certain Visitation made in the Chapel aforesaid by Master Edmund of London then Dean of the said

9th Dec. 1320.  
14 Ed. II.

Chapel on Tuesday the morrow of the Conception of the Blessed Virgin Mary in the year of grace one thousand three hundred and twenty and fourteenth of our Lord Edward, son of King Edward. Also the said Thomas de Wychio, Vicar of the Chapel aforesaid and Subdeacon, for thirty years hath kept the said Agnes as his concubine, and from her hath begotten nine children. At length impeached upon such vice of incontinence before Master Andrew of Lincoln, then Dean of the Chapel aforesaid, he confessed the premises to be true and abjured her upon the sacred Gospels of God and holy places on pain of perpetual removal out of the Chapel above named. Also the said Thomas, incurring the guilt of perjury, like a dog returning to [his] vomit, afterwards hath begotten from the said concubine a daughter, because they still abide together, as husband and wife, to the scandal of the Church abovesaid, whereby the decree underwritten hath been issued.

In the name of God Amen. We, Dean of the King's Chapel in our Lord the King's Castle of Hastinges, Master Thomas de Wychio, Vicar of the said Chapel, because although frequently warned thou dost not put away Agnes Sibili and cohabitation with her, which many times thou hast abjured, but goest to her day and night so publicly that by no tergiversation can the fact be concealed, do remove thee from the office and benefice of the said Chapel by decree with the counsel of our brethren in full Chapter.

[*Membrane 5.*] We therefore Jordan, John and Elias, it being found as well by inspection of the Charter and Instruments aforesaid as by examination of the Dean, Canons-resident, Vicars, John Roger and Richard Goldewyn Lieutenants of the Constable of the Castle aforesaid, Robert Marlepas Lieutenant of the Warden of the Cinque Ports in the Port of Hastinges, and also of the twelve jurors aforesaid, that full administration of the said Chapel, and of all the rents and possessions appertaining to the said Chapel, the appointment of Sacrists, admission of Vicars, and ordination of other Ministers, distribution of stipends and commons and payment of all charges as well from the rents and possessions of the said Chapel as from offerings forthcoming to the same to be made, [each] hath appertained, doth appertain, and ought to appertain to the said

<sup>1</sup> Parchment perished.

## Punishment of the Vicars

Dean. And that the dwellings in the Western part of the Chapel aforesaid within the Chapel aforesaid were constructed for the habitation of the Vicars and Ministers of the said Chapel ; And that John Roger and Richard Goldewyn Lieutenants of the Constable of the said Castle, at the instigation of Robert de Pigeam, Thomas de Silkedene, Peter de Mortimer, Ralph de Teye, and Thomas de Stenyng, who behaved himself as Vicar of the said Chapel, removed the Sacrists, and other ministers, put there by the said Dean, from their offices and habitations, moreover took away the keys of the Chapel, Treasury of the Chapter, and Belfry from the same : And that the aforesaid Robert de Pigeam, Thomas de Silkedene, Peter de Mortimer, Ralph de Teye and Thomas de Stenyng, who behaved himself as Vicar of the said Chapel, in the night-time took away the boxes from the foot of the Cross and from the High Altar and carried them away whither they would—the said Dean to his possession of the keys of the Chapel, Treasury of the Chapter, and Belfry, and also of the boxes with money being therein, and to the disposition of the dwellings deputed for the ministers of the same Chapel and to the plenary administration of all the aforesaid, we have decreed to be restored and him to all the abovesaid we do restore in office ; enjoining the said Dean, on behalf of our said Lord the King, that he remove the aforesaid Robert de Pigeam, Thomas de Silkedene, and Peter de Mortimer from office and benefice of the said Chapel, and denounce Thomas de Stenyng—who obtained no estate in the said Chapel, as it was found there—to be without share in the office and benefice of the said Chapel on account of the crimes defaults and violence above found, sparing this time the aforesaid Ralph de Teye, because according to the Statute he hath not been found guilty the third time. Also because it was found, as well by examination as by inquisition that Robert de Billesdone, John de Beverle, Robert de Maddele, and Thomas de Snodelond are not in any wise guilty of those things which were imputed to them, nor Thomas of Saint Albans of that which was imputed to him, but that they are of good and honest conversation, we have left them to the disposition of the said Dean to remain in the said Chapel. We have also enjoined the said Dean on behalf of our said Lord the King that he should receive on accompt from the aforesaid Roger de Portes, Canon and Robert de Pigeam, Vicar and from others of the aforesaid twenty Pounds and that he cause to be amended the imminent defects of the books and other things in the said Chapel before the Feast of Saint Michael then next ensuing in one year. Also that according to the customs of the said Chapel he should ordain and provide good and honest men in the room of those so removed. For Witness whereof we the aforesaid Jordan and Elias have set our seals. Given at the day place and year abovesaid.

A truce was concluded in the following June at Berwick.

Edward seems to have been somewhat slow in arranging the ransom of the Earl of Richmond: probably the want of sufficient means stood in the way.<sup>1</sup> Hearing of this matter, Pope John XXII. forwarded to the King a brief begging him to interest himself in the matter.<sup>2</sup>

In August the King made a grant of the custody of certain lands, etc., to the Earl of Richmond, described as "our very dear cousin and faithful subject, still a prisoner in Scotland," to assist towards his release. (*Rymer*, II. 534. The King, Grenhow, August 31st, 17 Ed. II., *Pat.* 17, P. I., *m.* 16.)

He also "affectionately begged and required" that the tenants of the Earl should, according to their ability and to the extent of their holding, furnish a subsidy towards a ransom. (By the King at Grenhow, Sept. 1st, 17 Ed. II.)

Upon the death of the French King, Philip "the Long," in 1322, it became

<sup>1</sup> October 27th, 1322. The King permitted seven persons to reside with John of Brittany, Earl of Richmond, a prisoner in Scotland. (*York*) (*Ry.* II., 498.)

<sup>2</sup> Avignon; Feb. 15th, "in the seventh year of our Pontificate." 1323, 16 Ed. II. (The Seal torn off.)

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*Rot. orig. Henry III. 19 Ed. II.*

The King committed to Robert de Holden the wardship of the King's castle of Hastings, To have as long as, etc., in the same manner as Richard de Ellesfeld, late etc. *Ro.* 2. In the 19th year of Ed. II.



## King Edward's (II) Visit to the Neighbourhood

the duty of the English King to do homage for Gascony and Ponthieu. As Edward delayed compliance with the summons to do so, the French made his delay an excuse for an invasion of Gascony. In 1324 negotiations were set on foot for a personal interview between the sovereigns in order to settle the dispute. (*Pat. Roll*, 18 Ed. II., P. I., m. 37.) About the beginning of August he issued orders for the navy and the army to collect at Portsmouth,<sup>1</sup> to accompany him abroad.<sup>2</sup> (*Id.* m. 6.) For some reason he then commenced a tour through Sussex—it was probably a pleasure-trip—and there are no records of State orders during this tour or progress. The expenses for provisions and luxuries for the King's table set down in the accounts of the chief clerk of the wardrobe are very curious (*Carlton Ride MSS.*). They include 38 lbs. of rice, 111 lbs. of almonds, 1½ quarts of cloves, pepper, cinnamon (for powdering and strewing on bread), *galinga* or galangal (an aromatic of a pungent flavour), a box of pine-seeds (*pign*), ginger, mace, saffron and sugar—33 ells of stuff to make sacks and pokes wherein to pack these stores, to be forwarded in advance of the King to divers places. Pears, apples, and nuts were also provided. The monarch depended for the ordinary necessities of life on the county, and was chiefly supplied by gifts from the magnates whom he visited *en route*. On Monday, August 27th, he lunched at Bayham Abbey, and dined at Robertsbridge Abbey, where the Abbot provided two carcasses of oxen and six cheeses. On Tuesday, August 28th, he came to the Abbot Alan de Ketting, at Battle Abbey. He there attended mass, and his offering was 7s. in money, and the price of one cloth of gold of red silk of Raffat, purchased and offered there on the same day, costing 50s.—total 57s. The neighbouring gentry sent him presents for the table.

From Robert Acheland . . . 4 rabbits, 6 swans, 3 herons.

From Stephen Acheland . . . 3 rabbits, 10 flagons of wine, 2 flagons of Vernach (a sweet white wine).

From Edmund Passelewe . . . 3 carcasses of oxen and 12 of mutton.

From William of Etchingham . . . 2 carcasses of oxen, 6 muttons, 3 peacocks, 3 lampreys (lucern), 12 bream.

The Abbot . . . . . 20 score and 4 loaves of bread, 1 cask of wine, 2 carcasses of oxen, 3 pigs, 6 carcasses of mutton, 2 swans, 2 rabbits, 3 herons, 3 feasantes (pheasants), 1 dozen capons, 2 pike, 12 bream.

The King appointed Peter de Montpellier to buy spices and other things with the aid of the bailiffs of the county of Sussex, and generally to assist John de Denne, deputy of Stephen de Abyngdon, the King's *pincerna* (butler), in providing necessities at Seaford. (*Pat. Roll*, 18 Ed. II.)

He was still at Battle on August 29th, but he was at Pevensey the next day, where he appointed Edward de Passlewe Warden of the Port of Rye, and William

<sup>1</sup> See *Chancery Rolls*, 17 Ed. II., for a list of the knights and men-at-arms living in the county of Sussex.

<sup>2</sup> Mortimer had escaped abroad from the Tower on August 1st.

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### 19 Ed. II.

The King committed to Simon Croyser the keeping of the bailiwick of the King's town of Wynchelse, the Rape of Hastings and of La Rie, and also of the Manor of Iham and the marsh there with appurtenances. To hold for as long as, etc., so that, etc. He also constituted the same Simon Keeper of the Scrutiny of all and singular the things entering the King's realm by the Ports of Wynchelse, La Rape and La Rie, etc. Receiving as much as, etc. *Ro.* 4.

## John of Brittany Ransomed

of Etchingham as that of Winchelsea, to defend these towns against the French. He went on to Bourne (Eastbourne) on the same day. He then went on to Bishopstowe (Aug. 31st—Sept. 1st), Thale (Sept. 2nd and 3rd), Shippelye (Sept. 3rd), Horsham and Chesworth (Sept. 4th), Newbridge (Sept. 5th). It was in Newbridge (parish of Pulborough, West Sussex), that Michael de Bottellerie, *scutifer* (Esquire) of John of Brittany, Earl of Richmond, brought the news that his master had been delivered from imprisonment in Scotland. The King was so pleased that he gave the Esquire a silver-gilt cup, enamelled at the base (*in fundo*) with an image carved in the shaft (*in pummello*), with a foot and cover, value 50 shillings (*Carlton Ride MSS.*, 2,920). The King was at Petteworth on Sept. 6th and 7th, and Dureford (?) on Sept. 8th, and arrived at Porchester on Sept. 9th, to await the arrival of his army and navy during the month.

On Sept. 24th he issued his order from Porchester, commanding John of Brittany, Earl of Richmond, to form one of a council, with other magnates and nobles, to be holden in London on Michaelmas Day, to last for three weeks, and to deliberate upon and deal with certain weighty matters concerning the King and the state of the realm. (*Ry.*, II. 570.)

This council had doubtless for its chief topic the conduct of the French King. On Oct. 6th the King wrote to the Duke of Brittany complaining of the King of France, who, he said, had violated the rights of the peers of France (Porchester). On Nov. 22nd he exonerated John of Brittany, Earl of Richmond, from various mancupsations for Frenchmen in his service (London, *Ry.* II., 581). On Feb. 12th, 1325, he granted a commission to make a truce with John, Duke of Brittany (Westminster, *Ry.* II., 588).

Early in 1325 the King sent his Queen, Isabella, to endeavour to negotiate terms with her brother, the King of France,<sup>1</sup> and it was finally agreed in September that Prince Edward should do the necessary homage. However, when the Prince arrived in France, both he and the Queen decided not to return to the King—owing to her hatred for the Despensers who were still entirely in the King's confidence. In vain did the King issue orders for their return, or even command that his son alone should return to the realm without the Queen. Isabella openly adopted the fugitive Mortimer as her counsellor and confidant. The Lancastrian party in England sided with the Queen, and the King scarcely knew upon whom to rely. Even the hitherto loyal and trusty Earl of Richmond appears to have been suspected of being implicated in the disobedience and rebellion, and seemingly not without cause. The Earl had been sent as ambassador to France, but did not return to the King, and although pressed to do so, continued to make frivolous excuses. At last on March 13th, 1326, the King issued a warrant of attachment against the Earl. The following document sufficiently sets forth the matter.<sup>2</sup>

There is nothing to show that the warrant was executed on the person of the Earl, but it appears that his English estates were forfeited. The Earl seemingly thereupon induced the Pope to address a letter to the King, imploring the restora-

<sup>1</sup> The Earl of Richmond was a member of the Commission.

<sup>2</sup> Writ of Attachment directed by the King at Tamworth (13 March, 1326) to the Sheriff of Sussex. (*Close Rolls*, 19 Ed. II., m. 12d.)

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The King presents Robert de Holden, clerk, to the Prebend of Peasemarsch. July 22nd, 1325 (*vide* 19 Ed. II., P. I., m. 34).



## Disloyalty of John of Brittany

tion of the forfeited estates, and expressing his conviction of the sincere loyalty of the Earl. The King wrote in answer a justification of his conduct in seizing the property of the Earl, and concludes, "We have brought into our possession his land and goods not with the intent to hold them as confiscated, but thereby to check, through the mediation of justice, his unruliness." (19 Ed. II., 1326, June 18th. By the King at the Tower of London.)

The Queen had now arranged a match between Prince Edward and Philippa, the daughter of the Count of Hainault. On September 24th, 1326, Isabella landed in Suffolk with a small army, chiefly composed of the men of Hainault. Arundel and Warren alone of the Earls remained loyal to the King. The elder Despenser and Warren were the first victims to suffer at the hands of the Queen and Mortimer, the King and the younger Despenser being afterwards taken at Neath Abbey. The younger Despenser was hanged at Hereford, by the Queen's orders. The King, after a period of captivity at Ledbury, was confined at Kenilworth Castle, where he continued nominally to issue orders between November 30th and January 12th, under the direction of the Queen and Mortimer. Thus, on December 6th, he ordered the Cinque Ports to provide a free passage for the men-at-arms of Hainault returning from Dover into Flanders.

Christmas Day, 1326, saw the Castles and Manors of John of Brittany, Earl of Richmond, restored to him by means of the following document granted "by the King," then, as stated above, a prisoner at Kenilworth Castle. This was almost the last document of State issued by the unfortunate sovereign, as King,<sup>1</sup> and by this it sufficiently appears that the Earl of Richmond had obtained the good graces of the Queen.

THE KING ORDERS HIS CASTLES AND MANORS, INCLUDING THE RAPE OF HASTINGS, TO BE RESTORED TO JOHN OF BRITANNY, EARL OF RICHMOND.

*A.D. 1326, An. 20, Ed. II. Pat. 20, Ed. II., m. 3.*

The King  
being a  
Captive.

The King to all whom it may concern, Greeting.

Although of late we did cause to be taken into our hand and to be held in our hand all the Castles, Manors, lands and tenements, goods and chattels of our beloved cousin and faithful subject John of Brittany, Earl of Richmond.

Nevertheless we do restore to the same Earl the Castles, Manors, lands and tenements, goods and chattels, together with the income received during the time intervening.

And we do grant the custody of the Castles, Manors, lands and tenements, goods and chattels of the said Earl, on this side the Trent to our beloved Richard de Creek, clerk of the said Earl for the use of the said Earl, to be kept by his bailiffs and servants, who had charge of them before the aforesaid seizure or any other fit and proper persons, as shall seem best to be done for the interests of the aforesaid Earl.

In witness whereof. Witness the King, Kenilworth, Dec. 25th. By the King, through the Queen.

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<sup>1</sup> He gave up the great seal to the Bishop of Hereford who brought it to the Queen on December 26th at Martely. Edward formally gave his consent to his own deposition on January 20th, 1327.

## CHAPTER XI

### EDWARD III



THE formal abdication of Edward II. in favour of his son, Prince Edward, took place on January 29th, 1327, and the young King, then only fourteen years of age, was crowned on February 1st, 1327, at Westminster. The administration was practically under the control of the Queen and her paramour, Mortimer. One of the earliest acts of the reign was the opening up of negotiations for peace with France. On February 4th John of Brittany, Earl of Richmond, was appointed to confer with the French envoys (*Ry. O. iv. 246*), and on February 22nd Commissioners were nominated, consisting of John, Bishop of Winchester, William, Bishop of Norwich, John, Earl of Richmond, John de Hainault, and Hugo de Audeleye, for the making of a truce with Charles IV. of France, power being given them to treat of all matters in dispute, including a treaty of submission to the King of France as well as power for them to pardon offences in Aquitaine during the war (*Fæd. 2, p. ii. 693-4*).

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#### 8 *Edward III., m. 18. P. I.*

To Robert de Bynchestre. Order to deliver to Thomas de Colevill the goods and chattels of John of Brittany, Earl of Richmond, together with the issues received by Robert from the Earl's Manors and lands during the time when he had the custody thereof by the late King's commission, after the late King had caused the Earl's lands, goods, and chattels to be taken into his hands, as the said King hath restored the lands, goods and chattels to the Earl and committed the custody of the Earl's Castles, Manors, lands, goods and chattels beyond the Trent to the aforesaid Thomas for the Earl's use, to be kept by the bailiffs and ministers who had the keeping thereof before they were taken into the late King's hands, or by others as should seem good for the Earl's benefit, and the late King ordered the said Robert to deliver to Thomas the Earl's goods and chattels in his custody and the issues aforesaid and he hath as yet done nothing in the matter, as the King is given to understand on the Earl's behalf—(The like to William de Felton). (Feb. 8th, 1327, Westminster.)

To William Trussel, escheator this side of the Trent. Order not to intermeddle further with the lands of Bartholomew de Assheburnham, and to restore the issues thereof, as the King learneth by inquisitions taken by William de Weston late escheator in the counties of Surrey, Sussex, Kent, Middlesex, and in the City of London that Bartholomew held no lands at his death in chief of the late King by reason whereof custody of his lands ought to pertain to the King, but that he held the manor of Essheburnham of John of Brittany, Earl of Richmond, in barony by knight's service. (5th March, Westminster.)

1327 (10 Kal. Dec.) Provision of John de Godeleye, Canon and Prebend of the Royal Free Chapel of Hastings.

#### 1 *Edward III.*

Order concerning the overseeing of the banks dividing Pevensay and Hastings in the County of Sussex (*M. 8. A Tergo*).



## Grant of the Bailiwick of the Rape

The following day, the Earl of Richmond was ordered to join the King's ambassadors in France. These negotiations resulted in a treaty between England and France on March 31st.

War breaking out with Scotland on April 5th, the Fleet of the Cinque Ports was ordered to Skinburnesse (co. Cumberland). The young King marched northwards. The expedition ended ingloriously; the Scots persistently eluded the English and soon tired out their patience, wasting the financial resources of Edward, which were already at a desperately low ebb.

On September 21st the imprisoned King was murdered in the Castle of Berkeley, and according to some writers, under circumstances of appalling cruelty and horror. Terms of peace were concluded with the Scots on November 23rd, and a declaration of Scottish independence was formally decreed in March, 1328.

In the following January, the young King was married to Philippa of Hainault.

The year 1328 was chiefly occupied in England by the struggles between Mortimer and the Earls for power, in which Mortimer yet held his own.

At the death of Charles the Fair of France, February 1st, 1328, Edward had made a claim for the French crown. This claim led in effect to a series of wars with France, interrupted by occasional ill-kept truces, which is generally called "The Hundred Years' War." However, the time had not come for a contest and, making certain secret mental reservations, he decided to render the homage demanded by Philip of France for his French provinces.

On March 21st, 1329, the Earl of Richmond married Jane, daughter of Edward, Count of Savoy (whose heiress she was) by Blanche, daughter of Robert II., Duke of Normandy.<sup>1</sup>

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<sup>1</sup> On July 29th Edward issued a request to the Earl as Duke of Brittany to prevent his subjects from injuring the English merchants (*Fœd.*, ii. pt. ii. 769).

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### 1 *Edward III. Pat. m. 34.*

Grant of the bailiffship of the Rape of Hastings. The King to all, etc., Greeting. Be it known that at the request and wish of our kinsman John, Duke of Brabant, we have given to our beloved chamberlain, Frank Rouland, the bailiffship of the Rape of Hastings, to hold during our pleasure in the same manner as other bailiffs thereof have been accustomed to hold the same. Witness the King at Westminster 17th February, 1328. By Privy Seal.

### *Pat. Rolls, 2 Edward III.*

Grant to the King's brother John de Eltham, of an estate in tail male in remainder of the Castles, Manors, lands, honors and all else pertaining to the County of Richmond after the estate tail therein of John of Brittany, Earl of Richmond, should he die without issue, with reversion to the King and his heirs, on John de Eltham's death without issue male. By Privy Seal (Jan. 1st 1328, Lichfield.)

To Simon de Grymesby, escheator this side of the Trent. Order not to molest or aggrieve John of Brittany, Earl of Richmond, by reason of his knight's fees and advowsons of churches; and to permit him to hold them in the same way as he held them before his manors, lands, goods and chattels which were taken into the hands of the late King, and which the said King restored to him on December 25th, in the 20th year of his reign. As the King understandeth that the Escheator aggrieveth the Earl concerning his knight's fees and advowsons because no mention was made thereof in the said restitution, and the King willeth that the Earl shall have and hold his castles, manors and lands together with the said knights' fees and advowsons as he held them before they were taken into the hands of the late King. By the King at York (1328, Feb. 26th).

On the 6th November, 1328, the King commissioned the Abbot of Battle, Bartholomew de Burghershe, Constable of Dover Castle and Warden of the Cinque Ports, and Master John de Ufford, to visit the King's Free Chapel in Hastynes Castle, "*which is exempt from all Ordinary Jurisdiction,*" and concerning which complaints have reached the king's ears that there are defects

## General Disorder

The King set sail from Winchelsea on May 26th, 1329, at noon, accompanied by the Bishop of Lincoln, his Chancellor, and other nobles (*Fæd.* p. ii. 764) and made his homage at Amiens on June 6th, but under a protest that the same should not affect his rights (*Ib.*, 765). At the age of seventeen and seven months Edward became the father of a son, afterwards known as the Black Prince.

During the year 1330 the struggles between certain of the Earls and Mortimer continued. Mortimer was arrested by Edward, in October, at Nottingham; he was condemned by the Lords without a hearing on November 29th, and the Dowager Queen was imprisoned.

In 1331 England had fallen into a state of internal disorder. Mortimer had appointed certain persons in January 1329 called the "Keepers of the Peace," in whom it has been surmised that the office of the county Justice of the Peace originated; but they proved themselves powerless to deal with the disorders. Highway robbers infested the forests in large bodies, occasionally compelling even the King's justices to ransom themselves. Even the nobles of the realm were suspected of being in collusion with these robbers. Armed men frequented the courts of justice, tacitly menacing the judges. The King was compelled to

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in its ornaments and books, and that its officers and ministers neglect their duty by not officiating, although they receive their stipends, and, what is worse, that brawls arise among them, some of them leading a dissolute life; and that the offerings of the faithful, which should be collected by two sacristans appointed by the Dean and Chapter and kept for the repair of the Chapel, are otherwise applied; to visit the Dean, Canons Residentiary, Vicars and other ministers of the said chapel, and survey its condition and that of its books and ornaments, informing themselves, both by personal examination and inquisition on oath of the said ministers and men of those parts, touching the defects and excesses aforesaid, to repair the one and correct the other, and punish offenders according to the ordinances and statutes of the Chapel, and to make a return to the King of all their proceedings therein—with a proviso that the said warden meddle not with the correction of souls. (*P.R.* 2 Edward III., P. II. m. 12. d.)

6 Ides January, in the year of our Lord 1329, Lord Richard Becele, proxy of Master Gerard de Seiseriaco, swore to the Lord [Bishop] obedience in the soul of his lord (Richard) aforesaid, and letters were written for the induction of the said Master Gerard into corporal possession of the prebend of Wertlyng, Nenefelde, and Hoo aforesaid, to the Archdeacon of Lewes or his official (*Ch. Mis. R.*  $\frac{3}{4}$ ).

Extracted from the Register of John Langeton of good memory, late Bishop of Chichester, in the year of our Lord 1329. On the eve of the Ides of December, in the year abovesaid, a certain commission issued to Lord John Wodeford, Dean of St. Martin le Grand, London, to hear, examine and discuss the business and causes of an exchange to be made between John de Camera, Canon in the Royal Chapel of Hastyngs Castle and prebendary of the portional prebend of Wertlyng, Nenefelde, and Hoo in the same, in the diocese of Chichester, and Gerard de Seiseriaco Canon in the Royal Chapel of St. Martin le Grand, London, and prebendary of the prebend of Little Norton in the same, of these their benefices and to admit the resignation by the said John de Camera of his portional prebend aforesaid and to admit the abovesaid Gerard to the said portional prebend, and to institute him Canon canonically in the same, with induction also into corporal possession of the said prebend and with the said accustomed oath of obedience likewise from the said Gerard to the Bishop of Chichester and his Archdeacon specially reserved (*Ch. Mis. R.*  $\frac{3}{4}$ ).

The 16th day of the month of December in the year of our Lord abovesaid, at Amburle [Amberley] before the Bishop of Chichester, appeared Master Geoffrey de Clare, Canon of Hastyngs Castle and prebendary of the prebend of Bulworithe in the same, seeking benefit of absolution from the sentence of the greater excommunication which he incurred through non-payment of two thousand herrings annually due as a pension to the church of Chichester and to be paid by the prebendary of the prebend aforesaid at the commencement of every Lent, for which absolution was made in due form, after a promise had first been given for the restitution of the said herrings withheld by him for the term last elapsed. The said Geoffrey swore on the Holy



## Decay of the Castle Chapel. 1330

march against and disperse these banditti by force of arms. A law was passed forbidding the wearing of arms in the city of London, except by nobles and others having the King's license. As in all cases, in many evil times when disorders and conspiracies were apprehended, tournaments and jousts were forbidden to be held, except by the King's express license.

By 1 Edward III. c. 16 "it was ordained that for the better keeping of the peace in every county good men should be assigned to keep the peace." In 1329 the chief men of the counties were appointed keepers of the peace and were ordered to assemble the people by "hue and cry," to pursue robbers "from vill to vill and hundred to hundred and from county to county." It was not till 36 Edward III. that these keepers of the peace were designated "justices."

In the fourth year of Edward. III. the Chapel having gone to decay, and being daily and nightly robbed, and its ministers ill-treated by divers depredators who broke into the same (owing to the ruinous state of the Castle walls), the Dean and Chapter presented the following petition on the subject, to the King in Council, as patron thereof—

"To our Lord the King and his Council, his humble clerks, the Dean and Canons of his Free Chapel within his Castle of Hastings, represent—that the said Chapel is decayed and gone to wreck, its ornaments and other treasures carried away, its ministers robbed by night and by day, beaten, wounded, and despoiled; the place of burial (*sépulture*) belonging to the said Chapel continually desecrated (*désolé*) by divers beasts of the field; and all this from the defects of the inclosure of the said Castle; the which, when it was forfeited to the King by the Count of Eu in the Norman times, was then in great part destroyed, and has been from time to time much more so

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Gospels before the Lord Bishop of Chichester to abide by the commands of the church and to perform the penitence to be enjoined him on account of his offence, after which oath and the absolution awarded to him the said Bishop charged him under the obligation of his oath to pay the said herrings for the future at the accustomed terms, etc., and to pay to the bier of St. Richard 20s. sterling and to distribute 40s. sterling among the poor parishioners of the church of Bulwarhithe (*Ch. Mis. R.*  $\frac{4}{34}$ ).

To the Treasurer and Barons of the Exchequer and to the Chamberlains. John of Brittany, Earl of Richmond, has shown the King by petition before him and his council, that the late King caused his castles, manors, lands, goods and chattels to be taken into his hands, and committed them to divers keepers, and the said King afterwards restored them to the Earl with the issues received from them in the meantime, which issues amount to £860; this sum should be set off against amounts due from the Earl to the Exchequer.—1330, December 24th, Guilford.

*Pat. R.* 4 Edward III. m. 19. P. I. 28 May, 1330.

Presentation of John Forb to prebend of Maurepas (by P.S.).

Mandate to the Dean and Chapter of the Free Chapel of Hastings. To assign a stall in the choir and a place in the Chapter to Adam de Ayton, King's clerk, who has been admitted by John, Bishop of Chichester, on the King's presentation to the prebend of Wertlyng, Nymenefeld and Hoo void by the death of Gerard de Seiseriaco.—(*Pat. Rolls*, m. 36 (4 Edward III.), October 7th, 1330. (Doncaster.)

1331, January 24th Westminster. *C.R.* 4 Edward III. m. 3 d.

Master James de Ispannia, prebendary in the King's Free Chapel of Hastynges, puts in his place John de Bampton and Walter Sporoun to defend the execution of a plea in Chancery between Nicholas de Hugate and him concerning the said prebend.

22nd January, 1331.—*Pat. Rolls.* 4 Edward III.

Presentation to Nicholas de Wotton, King's clerk, the prebend of Wertling, Nymenefeld and Hoo, in the Free Chapel of Hastings, lately held by John de Snoteland (at Westminster).

License for John of Brittany, Earl of Richmond, to grant for life to Mary de Sancto Paulo, Countess of Pembroke, the castles, towns, manors and lands which he holds in chief in England (see *Pat. R. P. II. m.* 32).—1331, May 5, Havering atte Bower. By the King.

## Inquisition as to the State of the Chapel. 1330

since, by the sea ; insomuch that the ancestors of our Lord the King have long suffered the same to remain without gates, and no amendment to be made. The Dean and Canons on these accounts therefore humbly pray our Lord the King and his Council, for God's sake and in alms, that it would please our said Lord the King, for the salvation of his Chapel and of his ministers, to condescend to grant by his deed, to the said Dean and Canons, to enclose the said Castle with gates and walls (*fermures*) suitable for the purpose, and that they may make them dwellings (*hosteles*) and abide within the said Castle ; and have the keeping of the same (Castle) that is to say in time of peace, or for so long time as there shall be no warden ; and to grant them the profits of the herbages (1) (*les avantages des herbages*) belonging to the said Castle within the town of Hastings, in aid of making and maintaining such enclosure ; which herbages have neither yielded to our Lord the King, nor to any of his ancestors, up to the present time, any profit, but the same are eaten and destroyed by the beasts of the common. Provided it shall be found by inquest of the Escheator, returned into the Chancery, that it is not to the damage or prejudice of our Lord the King, or of any other whatsoever: and they pray that the annual value of the said herbages may also be estimated in such inquisition.

(Indorsed) "Before the King"—

"Il semble au Conseil q'il est à faire s'il plect au Roi. Il plect au Roi."

(1) Herbages or "Herbagium" (as it is afterwards called in the King's grant), "herbage or grass especially to be cut or mowed." This herbage or pasturage around the castle always went with the latter as part of its appurtenances and was farmed out by the Earl of Huntingdon as owner thereof as late as the reign of Henry VIII.

The King upon this petition issued the following mandate to his Escheator—

Edward, by the grace of God King of England, Lord of Ireland and Duke of Aquitain, to his dear and faithful Simon de Beresford, his Escheator on this side the Trent Greeting.—Our beloved in Christ the Dean and Chapter of our Free Chapel in our Castle of Hastings have supplicated us by their petition exhibited before us that, as the aforesaid Free Chapel for want of inclosure of the Castle aforesaid, which by frequent inundations by the sea is for the greater part destroyed and on account of this is looked upon as derelict by divers evildoers, often before these times, as well by night as by day has been broken and robbed, the relics, ornaments and treasures of the same were taken and carried away, and the ministers of the same Chapel beaten, wounded and evilly treated, we would please to grant to the said Dean and Chapter that for the indemnity and security and for the salvation of the Chapel aforesaid, they might surround the Castle aforesaid with an inclosure and gates, and erect houses and edifices for their dwellings in the same Castle, and take the herbage pertaining to the Castle aforesaid in the town of Hastings, for which nothing to us or our progenitors hath been answered for some time past, and have and hold the custody of the same castle in time of peace to them and their successors for ever. We, willing to be certified whether we can without damage or prejudice to us or to any other, grant the premises to the aforesaid Dean and Chapter, to have and to hold to them and their successors for ever in form aforesaid or not, and also what number of acres or perches the land contains from which the same herbage comes, and if that land was at any time arable and rented of us or our progenitors or not, and how much the same herbage is worth by the year in all issues according to the true value thereof, command you that by the oath of good and lawful men of your bailiwick by whom the truth of the matter may be better known you make a diligent enquiry touching the premises, and the same concerning, and the same distinctly and openly made, you send to us without delay under your seal and the seals of those by whom it shall be made, and this writ. Witness ourself at Walyngford the seventh day of March in the fourth year of our reign.—By writ of Privy Seal.

*An Inquisition made at Nedderfeld in the County of Sussex before the Escheator of our Lord the King on this side Trent, on the twenty-first day of July in the fourth year of the reign of King Edward, after the conquest of England, the Third;*

By virtue of a writ to this Inquisition annexed by the oath of Robert de ———, Walter de Wocknolle, John de ———, Robert de Kensigg, John Parker, Thomas de Wourthe, John de ———, Adam Coleman, Roger Coleman, Allan Froulyng, John atte Glynde and Henry Gyfford, who say upon their oath that it is not to the damage or prejudice of our Lord the King, nor of others, should our same Lord the King grant to the Dean and Chapter of his Free Chapel in his Castle of Hastings that they, for their security and for the salvation of the said chapel, may inclose the Castle aforesaid with sufficient gates and an inclosure, and construct houses and buildings for their dwellings in the said Castle, and have and hold the custody of the same Castle



## Grant to the Dean and Chapter. 1331

in time of peace to them and their successors for ever, and take the herbage pertaining to the Castle aforesaid in the town of Hastings, from which the King or his progenitors for times past have received no profit, in aid of the inclosing aforesaid. They also say that the land from which the said herbage comes contains eleven acres, and is worth by the year in all issues, according to the value of the same, forty-four pence, price of the acre fourpence. They say also that the land is not arable, nor was it at any time rented of our Lord the King or of his progenitors. They say however that the Lord of the Rape of Hastings for the time being (received rent) in the said Castle at times due and accustomed. In witness whereof the aforesaid jurors to this Inquisition have put their seals. Dated the day, year, and place abovesaid.

The following is a translation of the grant :—

*Grant to the Dean and Chapter. 5 Edward III. [P. R. 5 Edward III. m. 36.]*

Edward, by the grace of God King of England, Lord of Ireland and Duke of Aquitaine, to all to whom these present letters shall come, Greeting. Whereas our beloved in Christ the Dean and Chapter of our Free Chapel within our Castle of Hastynges have supplicated us by their petition exhibited before us and our Council in our Parliament that the said Chapel which is situated within the same Castle, by reason of the defects in the inclosure of the same Castle, which by frequent inundations of the sea is for the greater part destroyed and is therefore derelict, has been by divers evildoers often before these times, as well by night as by day, broken and despoiled; the relics, ornaments, and treasure of the same taken and carried away, and the ministers of the same Chapel beaten, wounded and ill-treated; we would grant that they might make an inclosure and gates to the said Castle, and for their indemnity and security and the salvation of the said Chapel the same competently inclose; and construct houses and edifices for their dwellings within the same Castle, and take the herbage belonging to the same Castle in the town of Hastings, from which nothing to us or our progenitors has before these times been answered, in aid of, and for the reparation and maintenance of, the said inclosure; and have the custody of the same Castle, and be enabled to hold the same to them and their successors in time of peace for ever. And forasmuch as by Inquisition taken by Simon de Bereford, our late Escheator this side of the Trent, in pursuance of our mandate and returned into our Chancery, it has been ascertained that we may without damage or prejudice to us or others whatsoever grant the petition of the said Dean and Chapter and provide for their security and indemnity as well as the salvation of the same Chapel, we, willing in this behalf do grant for us and our heirs, that they may inclose the same Castle in form aforesaid; and construct houses and edifices for their dwellings within the said Castle, and be allowed to take the said herbage in aid of the making and maintaining the said inclosure, and their houses and edifices so constructed, and the custody of the same Castle, together with the herbage to the same (belonging) to them and their successors as aforesaid, may have and hold for ever, as is said, without let or impediment of us or our heirs, justices, escheators, sheriffs or other our bailiffs or ministers whatsoever, the statute of lands and tenements, *ad manum mortuam*, etc., notwithstanding, provided that we and our heirs have the superior custody of the same Castle, in time hereafter of war. Witness myself at Langeley the fourth day of February in the fifth year of our reign.—[1331]—By petition to Council.

In 1332, Baliol having conquered Scotland by private warfare, Edward was considering the advisability of acknowledging him King of Scotland in lieu of David Bruce, when an unexpected reverse drove Baliol back to England.

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*Pat. Rolls, 5 Edward III. (July 6th, 1331).*

Commission "concerning banks and ditches" to William, of Robertsbridge, Robert Shardan, and Thomas Wyvyll, in the rape of Hastings, c. Sussex (see also 10 Edward III).

*Pat. Rolls, m. 22 (5 Edward III.), 1332 March 22nd.*

Notification to S., Archbishop of Canterbury, of letters patent, dated 2 Edward I., being a presentation of William de Dovorr, King's clerk, to the Church of Crawhurst, a prebend of Hastings (Vide *P. R.* 2 Edward I., m. 18, April 28).

*1332, Pat. Rolls, m. 4. 6 Edward III.*

Presentation of Robert de Tanton, King's clerk, to John, Bishop of Chichester, admission for into the prebend in the King's Free Chapel of Hastings, which John Godele, deceased, held (by privy seal).

## The Rape Leased to the Countess of Pembroke. 1333

At the beginning of 1333, as will be seen from the subjoined documents, the King was in the north of England on his way to support Baliol against the partisans of Bruce. He had given his license to John, Earl of Richmond, to remain in foreign parts so long as he liked. (Given at Tweedmouth on May 20th.)

Edward now openly renounced the truce with the Scots, which he declared they had broken; and marched to the assistance of Baliol. The siege of Berwick by the King ensued; and Douglas, with an army of Scots, attempting to raise the siege was routed at Halidon Hill on July 19th.

On November 7th of this year, John of Britanny, Earl of Richmond, granted

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### *Close Rolls, 1332, m. 6. Edward III.*

To William Trussel, Escheator this side of the Trent. Order not to intermeddle further with the manor of Warblyngton, county Sussex, and to restore the issues, as it is found by an Inquisition taken by the Escheator that John de Warblyngton at his death held no lands of the King in chief, by reason whereof the custody of his lands ought to pertain to the King, but that he held the said manor of the Earl of Richmond as of the Barony of Hastings by the service of two-and-a-half knights' fees, and that John de Warblyngton is his next heir, as aforesaid. (*Woodstock.*)

### *Pat. Rolls, m. 10. 6. Edward III., (26th November, 1332).*

License for the Abbot and Convent of Robertsbridge to appropriate the churches of Salehirst Odymer Mundfeld, in the county of Sussex, of the yearly value of twenty marks, acquired from them by William of Etchingam, in part satisfaction of the £100 of land and rent which they had of the late King's license to acquire; notwithstanding that these churches are prebends of the King's Free Chapel of Hastings (by fine of twenty-six marks at Knaresborough).

### *Pat. Roll, p. III., m. 5. 6 Edward III.*

Presentation of Walter de London, King's clerk, to the prebend of Brightling in the King's Free Chapel of Hastings, void by the death of Edmund de London (at Driffeld).

### *Pat. Roll, m. 8. 6 Edward III. (December 16th).*

Presentation of Master Robert Ayleston to the prebend of Maurepas in the King's Free Chapel, void by resignation of Master Bertram Ferrant.

### *1333, Pat. Roll, m. 43. 7 Edward III.*

Exemplification of a charter by which the Dean of Hastings granted to John, son of Wymarke de Chittlebuck (Sedlescombe), in fee, all that land which the said Wymarke holds in Chittlebuck for the rent of four shillings and tenpence, and other services confirmed by Edward I. at the request of John More, tenant of the premises.

### *Pat. Roll, m. 7. 7 Edward III. (February 3rd, 1333).*

Mandate of the Dean and Chapter of the King's Free Chapel of Hastings, to assign a stall in the choir, and place in the chapel to Master Robert de Ayleston, King's clerk, he having been admitted on presentation by John, Bishop of Chichester, to the prebend of Maurepas in the same chapel, void by resignation of Master Bertram Feraunt (Ferrant), (at York).

### *Pat. Rolls, m. 24. 7 Edward III. (February 10th).*

Presentation of Robert de Tanton, King's clerk, to John, Bishop of Chichester, for admission to the prebend of Salehirst in the King's Free Chapel of Hastings (at Pontefract).

### *Pat. Roll, 7 Edward III., February 12th, 1333.*

Presentation of Richard Barewe, King's clerk, parson of the church of Reileigh, in the diocese of London, to J., Bishop of Chichester, for admission to the prebend of Wretling Nymmfeld and Hoo in the King's Free Chapel of Hastings, and on exchange of benefices with Robert de Langeton, King's clerk (at Pontefract).

### *C.R. m. 3 d. 7 Edward III. (March 11th, 1333).*

Bailiffship of Hastyngs Rape. It was enacted that no one should be appointed to such an office who had not sufficient lands whereupon he might answer to the King, if he conducted himself badly in that office. (*Pontefract.*)



## Death of John IX., Earl of Richmond. 1334

for life to his niece, Mary de St. Paul, Countess of Pembroke, under the above-mentioned license granted by the King (p. 161 ante) the castles, towns, and manors of Richmond and Bowes, *and his other lands* in England (including the Rape of Hastings) at the yearly rent of £1,800.

This lease, however, did not long take effect, for we find that on January 5th, 1334, following, the King granted at Wallingford his writ under Privy Seal, approving of the renunciation on the part of the Countess of Pembroke of the above grant (*Fæd.*, ii. p. ii, 874).

On January 17th, 1334, John of Brittany died unmarried, and was buried in the church of the Franciscans at Nantes, and his barony, granted by the

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*Pat. Rolls, m. 11, 20th April.*

Prohibition to all ecclesiastical persons from proceedings in derogation of the King's collation of Robert Tanton, King's clerk, to the prebend of Salehurst in the Free Chapel of Hastings (at Newcastle-on-Tyne).

*Pat. Rolls, m. 8, May 8th.*

Appointment of Geoffrey de Clare, King's clerk, to the custody of the Deanery of the King's Free Chapel of Hastings, during pleasure. Information from many sources that the chapel is greatly decayed for want of rule and custody in the long-continued and still-continued voidance of the deanery (writ *de intendendo* for him) directed to the prebendaries and vicars of the chapel (at Belford).

1333, *Pat. Rolls, m. 23. 7 Edward III.*

Mandate to assign a stall of the choir and place in the chapel to Master Edmund de London addressed to "such as supplies the place of dean and to the chapter, etc.," (at Knaresborough).

*Pat. Rolls, m. 7, November 6th.*

Inspeximus and confirmation of an agreement made October 9th, 1333, to end a question which has arisen between the Abbot and Convent of Robertsbridge, of the Cistercian order, claiming to hold the prebend of Salehurst, with the church of Mundefield, a dependency of the prebend in the King's Free Chapel in Hastings Castle, as having been appropriated to them of the one part, and the Dean or Keeper and Chapter of the said chapel of the other part, that the Abbot and Convent shall retain the said prebend and church undisturbed; that the Abbot and his successors shall be admitted as Canon thereof, with a stall in the choir, and place in the Chapter of the Free Chapel, and all rights which other non-resident prebendaries have; that each Abbot, on his installation to the prebend, shall swear in all lawful matters, and shall find a fit vicar, a secular priest to serve the said prebend. Every such vicar to be presented by the Abbot to the Dean and Chapter for examination and admission by them (by Privy Seal).

Renewal to the Abbot and Convent of the license already granted by the King, but since impeached before the King's Counsel in Chancery, because there was no mention of the prebend therein, for them to appropriate the prebend of Salhirst and the churches of Salhirst and Oymere and Maundefeld, which they acquired from William de Etchingham in part satisfaction of the £100 of land and rent which in consideration of the great loss of land in the marshes of Winchelsea, Rye, and Promhull (Broomhill) swallowed up in the sea, they had the King's license to acquire, and grant that the Abbot shall be admitted into the said Free Chapel as Canon. Mandate accordingly to the keeper and Chapter of the Chapel for his admission.

1333, *May 20th.*

License for John of Brittany, Earl of Richmond, the King's kinsman, out of pity for his estate, and that he be not hereafter impeached for his absence from the realm, to stay beyond the seas as long as he pleases (by Privy Seal. *Tweedmouth*).

1333, *November 22nd.*

Grant that the Earl and his heirs shall not do homage and other services due for the said castles and lands, so long as they are in the tenure of Mary de Sancto Paulo. (*Sherborne*.)

## Descent of the Rape

writ of 1305, became extinct. In accordance with the settlement of 1310 (*Pat. 4 Edward II., p. I. m. 18*), before mentioned, he was succeeded by his nephew John, third Duke of Brittany (born at Châteauceaux March 8th, 1286),<sup>1</sup> who had succeeded his father Arthur, second Duke of Brittany at his death on August 22nd, 1312. He had married at the age of ten, Isabelle, the sister of King Philip VI. of France, and daughter of Charles, Count of Valois, by his first wife, Margaret, daughter of Charles II., King of Jerusalem and Sicily. This marriage, contracted at so early an age, was then thought by no means extraordinary; the bride was only three years old; she was born in 1293, and she died in 1309. He married secondly, at Burgos in 1310, Isabel, daughter of Sancho IV., King of Castile and Leon, by his second wife, Mary, daughter of Alfonso of Castile, Señor de Molina. She was born in 1283, died on July 24th, 1328, and was buried in the Abbey Church of Notre Dame de Prières. He married thirdly, on March 21st 1329, at Chartres, Jane, daughter and heiress of Edward, Count of Savoy, by Blanche, daughter of Robert II., Duke of Normandy.

On February 13th following the death of John, Earl of Richmond, the King issued his writ to his escheators to hold an Inquisition on the property of the deceased. There appeared to have been six escheators, but the one holding jurisdiction in the county of Sussex, including the Rape of Hastings, was William de Northo (variously spelt see *post*). The Mandate and Inquisition are as follows:—

### *Mandate on death of John of Brittany. 8 Edward III.*

The King directed his mandate to William de Northo, his escheator for Surrey, Sussex, Kent and Middlesex, to cause an Inquisition to be made on oath of good and lawful men of his bailiwick, etc., on the death of the above John (therein styled Earl of Richmond), as to how much land the same Earl held of the King *in capite* in his bailiwick on the day that he died, and how much of others; and by what services; how much such land was worth per annum in all issues; and who was his next heir, with the age of such heir. Which Inquisition distinctly and openly made under his and their respective seals, was to be sent without delay, together with the said mandate in the King's Chancery, etc.

### *1335 Inquisition post-mortem, April 4th, 1335. 8 Edward III.*

Inquisition taken at Derefold, in the county of Sussex, before William de Northo, Escheator of our Lord the King in the counties of Surrey, Sussex, Kent, and Middlesex, the 4th day of April, in the 5th year of Edward III., etc., on the oaths of Thomas de Hasting, Robert de Gensing, William de Codyng, William de Penherst, William de Berewyke, John de Smalefeld, Richard de Asseby, William de Freusshe (? French), John de Ethene, John Martyn, Thomas de Sanderugg and Thomas Atte Birchette, who say upon their oath that John de Britannia, late Earl of Richmond, held on the day that he died the Barony of Hasting', with the manors, fee farms, hundreds, knights' fees and

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<sup>1</sup> He was a peer of France, Vicomte de Limoges, called Le Bon; and was son of the late duke by his first wife Mary, Vicomtesse de Limoges.

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### *1334, March 20th, Pat. Rolls, 8 Edward III.*

Presentation of Robert of Tanton, King's clerk, to John, Bishop of Chichester, for admission to the prebend in the King's Free Chapel of Hastings, void by the death of Robert de Langeton.

### *Same date.*

Presentation to John de Aileston to the same prebend (presumably this prebend was divided, since it appears to have consisted of Wartling Nynfield, and Hoo, see Robert Langton's appointment ?)

### *Same date, Pat. Rolls.*

Mandate, in the usual terms, to assign a stall, etc., to Richard de Turbeville, King's clerk, to the prebend late of Robert de Ayleston.



# Inquisition on the Death of John IX., Earl of Richmond

all other appurtenances in the county of Sussex. And they say that the Lord Edward, late King of England, grandfather of our Lord the present King, gave the said barony, with the manors of Berghershe, Bivelham, and Crowherst, as also the manors of Filsham and Hamerdenn and the lands and tenements in Morlee and Cortesslee with the appurtenances which at that time belonged to the Barony aforesaid; which manor of Filsham and Hamerdenn and the lands and tenements in Morlee and Cortesslee aforesaid, the said Earl in his lifetime by his charter gave to Bertram de Monboucher and Joan, his wife, together with the fee farms, hundreds, knights' fees, and all other belonging to the said barony, to have and to hold the said barony to the said Earl and the heirs of his body issuing, from him the King and his heirs, rendering therefore to our Lord the King the services originally due for the same.

Also they say that there are at Codyng £8 of certain fee farms issuing from the manor of Codyng, which Richard de Coding held of the said barony of ancient farm, payable by equal portions at the feasts of Easter and Michaelmas. Also there are at Winchelsea 20s. issuing from the lastage of the town of Winchelsea belonging to the said barony, payable at the feast of St. Michael from farms of old tenants of the said town.

Also there are belonging to the said barony nine Hundreds and a half, the courts whereof are held twice a year, in which are neither pleadings nor presentments unless such as belong to view of frankpledge—namely, the Hundred of Golspure, which is extended at 20s. per annum; the Hundred of Stapele, extended at 16s. per annum; the Hundred of Nimenefeld, extended at 12s. per annum; the Hundred of Guestling, extended at 22s. per annum; the Hundred of Baldeslowe, extended at 18s. per annum; the Hundred of Foxherle, extended at 14s. 4d. per annum; the Hundred of Haukesberghe, extended at 13s. 4d. per annum; the Hundred of Shoeswelle, extended at 10s. per annum; the Hundred of Henhurst, extended at 12s. per annum; and the half Hundred of Nedderfeld, extended at 8s. per annum. There is no common fine in the same, unless of the tenants of the said manors of Berghershe, Bivelham and Crowherste, and of the tenants of Bertram Monboucher (who were late tenants of the said barony) and who pay yearly among them by equal portions at the feasts of Easter and Michaelmas 22s. 9d. The sheriff of Sussex for the time being holds his turn twice a year in the said barony, at will, before which all presentments belonging to view of frankpledge are made (assize of bread and services excepted), and therefore the said Hundreds are worth and are extended at but little. Also there are of the same 6s. 8d. due from Simon de Ecchingham for amerciaments of his men and tenants of Udimere; in the Hundred (of the Abbot of Feschamp) of Gosetrowe certain amerciaments, which amerciaments at one time belonged to the lord of the said barony, but which were afterwards granted by the said lord to the ancestors of the said Simon for an annual sum of 6s. 8d. payable to the said lord at the feasts of Easter and Michaelmas. Total of the Hundreds, with the common fines and amerciaments of Udimere, £8 12s. 1d.

Also they say that there are belonging to the said barony fifty-two knights' fees, the tenants whereof owe homage, fealty, and scutage (when it may happen), and owe suit to the court of the said barony called the Lathe, of three weeks in three weeks, in which court may be pleaded all pleadings of life and members, writs of right and whatsoever belongs to courts baron of all things which may happen within the said Hundreds or Barony; and the pleas and perquisites of this court are worth 26s. 8d. per annum. Also the said tenants at one time were forced to keep guard in the Castle of Hastings in four wards, namely, the ward of Ferlegh (Fairlight) for one month; the ward of Wretlinge (Wartling) for the second month; the ward of Warbelton for the third month; and the ward of Echingham for the fourth month; and afterwards in succession so that each ward might keep its guard singly for every sixteen weeks; and afterwards the said wards, by consent of the lords of the said barony and the tenants thereof, were rated, that is to say, the ward of Farlegh singly sixteen weeks, at the rate of 40s. 6d. per month; the ward of Wretling in the same manner was rated at 24s. 8d. per month; the ward of Warbelton in the same manner was rated at 30s. per month; and the ward of Echingham in the same manner for its month was rated at 38s. 3¼d., payable always at the end of the month by each ward, in such way that the said tenants pay one year with another £21, as it may happen to the ward, because one of them always kept guard four times a year and the others three, unless at the end of the year, and this according as it might chance to happen. Also there are of the same due from the tenants towards the aid of the Sheriff exclusively of what the Sheriff himself receives, 16s. payable at the feast of the Purification of the Blessed Virgin Mary, and the beginning (*gulam*) of August equally. Total, £22 19s. 8d.

Also they say that the advowson of the church of Berghersh belongs to the said barony, and is rated at £22 per annum. In answer to the requisition—Who is his next heir, and what is his age?—the jurors say that they know not, inasmuch as the said Earl was born and baptized in parts beyond the seas.—In witness, etc.

## Livery of the Rape to John, third Duke of Brittany

A few days before the date of this Inquisition, namely, on March 30th, the King had appointed John, Archbishop of Canterbury, and Sir Geoffrey Le Scrop to treat with the Duke of Brittany. This appointment sets forth that all the lands and tenements in England which were held by the late John of Brittany, Earl of Richmond, as tenant-in-chief, which by his death had passed into the possession of the King, should be granted to the Duke of Brittany "our very dear Cousin," when he had done homage and made certain other arrangements to be settled between the Earl and the King's Commissioners as aforesaid. Power was also given to these Commissioners to receive the homage of the Duke (the same Commissioners had also power to treat with the King of France as to Aquitaine and respecting the Crusade). (*Foed.*, ii., Part 2, 882-3 and 4 at Rockingham.) The result of this commission of the Duke being satisfactory, the following order to give the Duke livery of the lands was issued to William de Northo, the escheator.

### *Order for Livery of the Earldom of Richmond (including the Rape of Hastings) to John, third Duke of Brittany, 1334.*

The King to his beloved William de Northo, his escheator in the counties of Surrey, Sussex, Kent, and Middlesex, Greeting. Because it hath been witnessed to us that our beloved cousin and faithful John, Duke of Brittany, who was born and baptized in parts over the sea, is the cousin and next heir of John of Brittany, lately Earl of Richmond, who held of us in chief and (that he is) of full age.

We, trusting in this witnessing and wishing to show special favour to the said Duke—although the inquisitions which we have ordered to be made concerning the lands and tenements of the said Earl have not yet been returned to our Chancery—have taken the fealty of the Duke for the earldom of Richmond and all the lands and tenements of the same which the said Earl held of us in chief the day that he died, and have taken the homage due in this respect from the said Duke, and have restored the said earldom with all its lands and tenements to the same Duke.

And seeing that certain persons have given mainprise for the said Duke for the reasonable payment for the relief due to us for the said earldom and to be paid to our Exchequer, we charge you that you give full possession to the said Duke or to his attorney in this matter of the aforesaid earldom and all the lands and tenements of the said earldom with the appurtenances thereof of which on the day of his death the said Earl was possessed, and which by occasion of the death of the same Earl came into our hands. Saving our rights and of any one else whomsoever. Witness the King at Beverley May 24th, 1334.

In June, 1334, the King received the homage of Edward Baliol (for Scotland and afterwards the homage of the Duke of Brittany, for the Earldom of Richmond. About the same time a beautiful tournament was held at Smithfield, London, for three days, and thither came the King, the Duke of Brittany, and many earls and barons (*Annals of St. Paul's*). On July 4th, the escheators received orders to deliver to the Duke the revenues of his lands, as from May 8th.

The state of the Free Chapel still continuing to be unsatisfactory, the King commissioned Master Richard de Seford, Canon of Chichester, John de Marton and William de Ponte Roberti (of Robertsbridge) to survey the same as follows:—

### *Concerning the state of the Chapel and prebends of Hastings and the defects of the same.*

*Patent Roll, September 28th, 1334. 8 Edward III. Part 2, m. 25 d.*

The King to his beloved and faithful Master Richard de Seford, Canon of Chichester, John de Marton and William de Ponte Roberti (of Robertsbridge) Greeting. Whereas we have been informed that on account of the default of good rule and the insolence of the prebendaries of our Free Chapel of Hastings and the ministers of the said chapel and the prebends of the same, divers defects in the ornaments of the church, buildings, walls, *cloisters* and other necessities and appurtenances in the chapel aforesaid, and the prebends of the same daily threaten, and greater (defects) in process of time (unless a fitting remedy thereupon be quickly set) it is to be feared



## Visitation of the Chapel. 1336

will very probably happen. The divers prebendaries of the said chapel divers lands and tenements and rents and their prebends aforesaid have eloined and alienated and to eloin and alienate do not desist, to our prejudice and the no mean damage and manifest deterioration of the said chapel and the prebends. We willing to set against such prejudice and damage by (all) ways and means in our power a further remedy in this behalf as is fitting and upon the premises to be fully certified have assigned you or two of you to survey the state of the chapel and prebends aforesaid and the prebendaries and other ministers of the same and to inform yourselves or if need be by the oath of honest and lawful men of the County of Sussex by whom the truth of the matter may be better known upon the defects in the same chapel and prebends and the appurtenances and in the prebendaries and other ministers of the same and by whom such defects happen and how they can be repaired and amended and of such eloinings and alienations by whom they were made, and of other articles and circumstances whatsoever touching the premises to enquire more fully the truth. And therefore we command you that at a certain day, which you or two of you for this purpose shall provide, you do assemble at the chapel aforesaid and the enquiry aforesaid make in the form aforesaid and the same distinctly and openly make to us, and send without delay into our Chancery under your seals or two of you and under their seals. And this writ we command to the Sheriff of our County aforesaid that at a certain, etc., to whom, etc., caused to know, etc., to come before you or two of you so many and such, etc., of his Bailiwick, etc., may be known and enquire, etc., of the prebendaries and other ministers of the chapel and prebends aforesaid that they appear and attend as you or two of you in the premises, etc., IN WITNESS, etc. By the King at Westminster the 28th day of September.

*1335, July 20th. Carlisle, C.R. 9 Edward III., m. 12 d.*

To Master Richard de Seford, Canon of Chichester, John de Marton, and William de Ponte Roberti.

The King wishes to ascertain what Richard, John, and William have done or attempted to do by virtue of the said commission : he orders them immediately, upon sight of these presents, to send the said commission into Chancery, and this writ, and to supersede the execution of the commission, and the taking of the inquisition or process by virtue of that commission at present.

By C.

*Visitation of the Chapel. January 4th, 1336.*

*Miscellaneous Chancery Rolls, 1336.*

In the name of God Amen. Know ye all by this public instrument that in the year from the Incarnation of our Lord one thousand three hundred and thirty-five (1336), according to the course of the English Church, Indiction fourth, of the month of January the fourth day, in the second year of the pontificate of our Most Holy Father in Christ and Lord the Lord Benedict XIII. by Divine Providence Pope in the presence of Master Robert Dorturer and me Henry, notaries public, and of the witnesses underwritten specially asked and called for the things within written appearing in the conventual church of the monastery of Saint Saviour, of Bermundeseye, in the diocese of Winchester, near London, the Reverend men Geoffrey de Clare, clerk and warden of the Free Chapel of our Lord the King in his castle of Hastyngges, in the diocese of Chichester : as appeared in evidence by certain letters sealed with the seal of our Lord the King ; and the Prebendary of the prebend of Bolewareche, in the same chapel, and also other canons of the said chapel, that is to say, Sirs William de Cusance prebendary of the prebend of Thurroke, Roger de Portes prebendary of the prebend of Crouhirste, Nicholas de London prebendary of the prebend of Brythlinge, personally for themselves ; and also masters the Abbot of the monastery of Robertsbridge prebendary of the prebend of Salehirste by Brother Thomas of Battle, monk and cellarer of the said monastery, William de Bondon prebendary of the prebend of Pesemersche by the aforesaid Sir William de Cusance, John de Aylestone and John Ectone prebendaries of the prebend of Wrotlynge Hoo and Nemenesfelde by Robert de Hytlyngham, Richard de Bynteworthe prebendary of the prebend of Stone by John de Undele, Richard de Toneleye prebendary of the prebend of Holyngtone by Walter de Grenestede, and Richard de Turbervyle prebendary of the prebend of Malrepaste by John Rokere, vicars of the said chapel, upon reforming the state of the chapel aforesaid and recovery of the rights of the same, on the morrow of the Circumcision of our Lord then last past and that he might spare the labours of certain canons, and principally of the elder men of the said chapel, who could not easily go so far without great expenses and trouble, by their consent he had assigned the aforesaid convocation to be made in the church of Saint Martin le Grand, London, and reciting that as Sir William de Cusance "being very much hindered" the convocation was prorogued to the Church of Bermun-

## Commons and Stipends of the Dean and Canons

deseye where he was staying. And certain articles being then set forth in writing by the said warden upon which he had made their convocation amongst which it was contained :—WHEREAS many rents of the chapel, and nearly all through negligence, were long since subtracted, which unless they are speedily recovered will be lost for ever, (let enquiry be made) of whom ought they to be recovered? Also concerning against whom ought the process to continue which is commenced before the Prior of Suthwerke, judge delegate, upon divers portions of tithes and other rights of the said chapel alienated? Also by whom ought the defects of the chapel as in enclosure, ornaments, and other deficiencies to be repaired, since there is nothing assigned for certain for this purpose? Nor, although it has been appointed heretofore and many times that such expenses shall be made, do the canons residing permit the commons of the vicars to be paid before distribution WHEREOF certain constitutions of the said chapel being recited. And reciting that the Convocation was again prorogued till the said 4th day of the month of January, and which day arriving all and every the aforesaid canons being personally present and the others aforesaid who were absent by proctors (as premised) there appearing and the other customs aforesaid being by Master Edmund de London, late warden of the said chapel, and his then canons of the said chapel recited made and reduced to form, in which among other things it is contained that after paying stipends and commons of the vicars and other things necessary for the said chapel in any wise arising by the disposition of the Dean or his vicegerent the residue of the oblations, obventions, rents and other common goods shall be distributed in every quarter of the year between the Dean or his vicegerent and the canons residing. And whereas certain canons residing several times challenged and applied to themselves part of the oblations and goods aforesaid by reason of their residence and without the assent of the warden of the said chapel took and occupied the same leaving the affairs of the chapel unfinished and the defects not repaired, the aforesaid canons and proctors have declared such constitution in this behalf, and anew with unanimous assent and consent have appointed, ordained and agreed That none of the canons residing shall be able to challenge or apply anything to himself from the goods of the chapel save by the distribution of the Dean or Warden of the same, and that the expenses incurred for recovering rights, repairing defects, and other necessities of the said chapel shall be first paid. Also whereas in the said constitutions amongst other things it was contained that the canons willing to reside shall in every quarter of the year make a continuous stay of six weeks, they have appointed and willed that such residents shall be able to absent themselves for seven days together or at intervals out of the six weeks beforesaid for having comfort and recreation without any challenge whatsoever. Also whereas formerly it was not ordained what or how much the Dean or Warden should receive for his expenses by the day while he was absent for managing and prosecuting the affairs of the chapel aforesaid, they have appointed and ordained that he shall receive eighteenpence for every such day. Also that he shall reside and for making his residence shall have and receive beside his commons of twopence daily as much out of all and singular the goods of the chapel as two resident canons according to the force and form of the statute heretofore thereupon published and there exhibited, the tenor of which from word to word is this :—KNOW all men that we the Dean and Chapter of the Free Chapel of our Lord the illustrious King of England, in his Castle of Hastings on Wednesday, that is to say the twenty-sixth day of the month of July in the year of our Lord one thousand three hundred and thirty-five, special convocation being made of all our canons to treat upon the defects of the said chapel and to ordain how they might be reformed for the better coming together as one in the chapter-house of the aforesaid chapel. Amongst other things we have found that on account of non-residence of the Dean or Warden of the said chapel very many rights, rents, and possessions of the said chapel are alienated, lost and consumed, the ministers of the same, neglecting the Divine office to which they are bound, and going aside to very many frivolous and dishonourable things, were wont to wander about to the scandal of very many and the detriment of the state of the chapel before named. And considering that the aforesaid chapel cannot be defended in its rights without the presence of the Dean or Warden nor the premises duly reformed; and the portion, that is to say, of twopence daily which the Dean or Warden of the said chapel has been wont to receive and nothing else for the charge of his residence is too small, it is ordained and appointed by our consent that whosoever henceforth shall be Warden or Dean shall continually reside in the chapel before named attending to the guarding and defence of the rights of the said chapel. Saving nevertheless that he shall be indulged by us so that for one quarter of the year at intervals or conjointly he shall be able to be absent while attending to his own affairs, but his sufficient proctor being left behind for the government of the chapel aforesaid. And that for supporting the charge of such residence he shall from now have and receive out of the common



## Fees Payable for Vestments on Installation

distribution in all things as much as two residing canons, together with the twopence daily aforesaid. Nevertheless in the event that if the said Dean or Warden shall not make such residence (as is aforesaid) he shall be excluded from such receipt that year. And if perchance he shall have no canon residing with him, then that year he shall apply a third part of all the revenues to the treasure of the chapel, and of the said third part he shall be bound whenever required to render account. In witness of all which things our common seal is set to these presents. Given at the place, day, and year aforesaid.

And whereas it often happens (as was asserted) that in winter time the ministers of the church suffer want by commons not being paid on account of deficiency in the oblations, they have appointed that from the first money received in Michaelmas term the debts of the chapel and the last stipends of the preceding year and commons of the vicars there up to the next ensuing feast of the Nativity of our Lord shall be paid, and the rents of the chapel shall be put into the treasury to pay the said commons and to support other charges of the chapel at the time in which the oblations aforesaid shall be deficient. Also whereas some canons have not satisfied for their copes according to the custom of the chapel at their installation, although they had sworn to observe the approved constitutions and customs of the said chapel, they have appointed that no canon henceforth shall be installed in the said chapel except after security made at a certain term for his choir-cope, or ten shillings to be paid for the same; and that the money so to be collected shall be applied in renewing the ornaments of the said chapel. To hold which things all and singular and to inviolably observe them the said canons present in their stalls and the aforesaid proctors of the absent canons and prebendaries in the stalls of their said masters by virtue of their oaths before taken to observe the statutes and customs of the said chapel in good faith bound themselves and with unanimous consent decreed that the canons henceforth to be installed in the said chapel shall be likewise bound. And finally they required of me, Henry, notary within written, for the perpetual memory of the matter, that I should make a public instrument concerning the premises, and of Master Robert, notary aforesaid, that he should subscribe the said instrument and that each of us should set his customary sign. Sir John de Welleford rector of the church of Carleton (? Charlton beside Woolwich) in the diocese of Rochester, and Walter named the Fermer of Stoke in the diocese of Norwich, being present as witnesses to those things. Executed in the presence of witnesses and notified by the notaries above mentioned—the erasures in the document being specified.

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Presentation of John de Elton to the prebend of the King's Free Chapel of Hastings and the diocese of Chichester which Adam Eyton lately held by privy seal. *Pat. Roll, m. 20, October 1st, 1334.*

Presentation of Nicholas de London to the prebend of Brightling, void by the resignation of Walter de London, King's clerk. *Pat. Roll, 1335, m. 32.*

1335, 2 Non. March. Papal Letter to Walter of London, Canon and Prebend of the Royal Free Chapel, Hastings. He was the King's confessor and almoner. He was promoted to be Dean of Wells, but made to resign the canonry and prebend of Hastings which he held.

*Pat. Rolls, m. 29, March 30th.*

Mandate to the Dean and Chapter in the usual form to assign a stall, etc., to John de Ayleston, King's clerk, who had been instituted by John, Bishop of Chichester, on the King's presentation to the prebend lately held by Robert de Langeton deceased (at Nottingham).

Mandate 25th April respecting Nicholas de London in usual form to assign a stall, etc., he having been instituted by John, Bishop of Chichester, on the King's presentation to the prebend of "Bristlyng" (Brightling).

Presentation of Master William Abberwyk, King's clerk, to John, Bishop of Chichester, for admission to the prebend of Malrepast, in the King's Free Chapel of Hastings (at York). *Pat. Rolls, m. 15.*

Presentation of Thomas de Staunton, King's clerk, Prebendary of Godestre in the Free Chapel of St. Martins le Grand, London, to the prebend of Wertling in the Free Chapel of Hastings, in the diocese of Chichester, on an exchange of benefices with John de Elton, (? Etton), King's clerk (by privy seal at Berwick-on-Tweed). *Pat. Rolls, October 9th.*

*Pat. Rolls, 10 Edward III.*

Mandate to the Dean, etc., to assign stall, etc., for Thomas de Staunton, to which he had been admitted by John, Bishop of Chichester.

## Concerning National Defence. 1336

During this year, encouraged by the intrigues of the French King, the Scots again flew to arms and drove Baliol southward as far as Berwick. The year closed by Edward compelling all knight-hoods to be taken up, and a general array of the whole kingdom was ordered (*Foed.* ii. pp. 899-901, December and January, 1334-5).

In the year 1335 a truce was granted to the Scots at the intercession of the French King; but Edward continued to prepare for further war, and suspecting that ships were fitting out at Calais and other ports to aid the Scots, he commissioned the Warden of the Cinque Ports to attack and destroy them wherever discovered. He again defeated the Scots, and concluded a treaty of peace with them at Perth on August 18th, 1335 (Avesbury, p. 24). Within a few weeks, however, they once more broke out into open warfare, and Edward was threatened with an invasion by the French. Matters assumed so alarming an aspect that the King ordered all men between the ages of sixteen and sixty to be arrayed, and arm themselves, according to the old statute of Winchester<sup>1</sup> (*Foed.* ii. pt. ii. 916). Ships were seized for the King's use, and the whole country was put in a state of defence; but owing to the intervention of the Pope, a series of truces were arranged till Easter, 1336.

*Concerning the safe keeping of certain castles. A.D. 1336. 10 Edward III.  
Close Roll, 10 Edward III. m. 27 d.*

The King to his well beloved Constable at (Hastings\*) Castle Greeting. By reason of certain news which has sounded in our ears and which sinks deep into our heart, we strongly enjoin you and order you that as soon as you shall see these presents you shall take care that the aforesaid castle be fitly and properly defended, and that you use such careful diligence concerning the defence of the walls and of every other part of the same fortress that there shall happen to it no loss or danger by night or day through any stratagem or assault of our enemies by reason of the failing of such guard and keeping. But that by the good keeping of the same castle both our people, of the parts adjacent and those parts themselves, be more safely and stoutly strengthened and defended. And this as you love our honour and wish to keep you and yours without offence in our eyes, you shall in no wise omit. Witness the King at Woodstock this fourth day of June. By the King.

Similar orders are directed to the constables of the undermentioned castles: to wit, the constables of Tintagel, Launceston, Rostormell, (Bristol,\*) Corfe, Carisbrooke (Isle of Wight), Porchester, Pevensey, Dover, Rochester, the Tower of London, and likewise the castles of Arundel and Lewes.

In June of that year Edward recrossed the Border into Scotland, but still made attempts to treat for a peace with the King of France. He returned to England in September, leaving the Earl of Cornwall in command of the royal army. The death of the latter in October again recalled Edward to Scotland, but he once more returned to London at the end of December.

<sup>1</sup> See page 114 ante.

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1336. In Chichester Cathedral at this date there seems to have been, near St. George's Chapel, a chantry maintained out of a prebend in the Castle Chapel of Hastings from rents at Salehurst, Odiham, and Mundefeld Churches (*Lid. d.* fo. 230). "Li Charnel House" chantry was in this chapel (*i.e.* St. George's Chapel), *vide* Compotus of 1544 and Mr. Walcott's paper, *Archæologia*, xlv. 171.

*Pat. Rolls, m. 7, 1336. January 20th.*

Mandate to keeper and chapter of the King's Free Chapel in the Castle of Hastings which has been for a long time without a dean, and has thereby sustained many losses in respect of the temporalities and hindrances to divine worship, to meet and elect a dean by Easter; otherwise the King will appoint one. If the right to collate to the deanery is in the King, such right shall not be prejudiced by this mandate by the King "*et erat patens*" at the Tower of London.



## The Chapel Greatly Decayed

The year 1337 was spent in arranging alliances against the King of France, and in futile attempts to settle differences by the intercession of the Pope. Meanwhile preparations for war on both sides went steadily forward. One of the earliest known instances of the adoption of uniform occurred on August 28th, 1337, when the Welsh levies were ordered to be dressed in tunics and mantles of a similar cloth (*Foed.* ii., part ii. 993). On October 7th, Edward openly assumed the title of King of France.

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*Pat. Rolls, m. 36, March 26th, 1336.*

Presentation of Master Walter Lyndrigge, King's clerk, parson of the church of Norton in the diocese of Norwich, to the prebend of Crowhurst in the King's Free Chapel of Hastings, on exchange of benefices with Roger de Portes, King's clerk, by the privy seal at Westminster.

*Pat. Rolls, m. 22, April 14th, 1336.*

Ratification of the estate which John de Snodelond has in a portion of the prebendal church of Wertling, in the Free Chapel of Hastings, by presentation of Edward II. "as is said by the King at the Tower of London" (see 11 Edward III.).

*January 15th.*

Writ *de intendendo* to the prebendaries of the said chapel by privy seal at the Tower of London.

*Pat. Rolls, m. 28, September 23rd, 1336.*

Presentation of John de Sancto Paulo to the prebend of Brightling, in the Free Chapel of Hastings, in the diocese of Chichester, by privy seal. (He was Keeper of the Rolls. See note concerning him in the *Foed.* ii. part ii. 1142, to December 1340.)

*Pat. Rolls, m. 19, October 18th.*

Mandate accordingly to the Dean to assign a stall, etc., on the institution by John, Bishop of Chichester.

*Pat. Rolls, m. 10, December 13th, 1336.*

Presentation of Master de Salesbirs to the prebend of Holynton in the Free Chapel of Hastings in the diocese of Chichester by privy seal.

*Pat. Rolls, m. 12 d., November 20th.*

Commission to the Abbots of Battle and Robertsbridge, Master William de Lidebere, and Richard de Swafham, to survey the King's Free Chapel at Hastings, which is reported to be in a state of great decay, to find by inspection of the statutes, ordinances, privileges and other muniments, and by examination and inquisition upon the oaths of the ministers and other good men in those parts, what is the present state of the chapel, and certify to the King fully of all their proceedings herein.

Writ *de intendendo* in their behalf directed to the keeper, canon, vicars, and other ministers of the chapel (at Bothwell).

*Pat. Rolls, 10 Edward III. January 12th, 1337.*

Appointment during pleasure of Thomas de Staunton, King's clerk, to the custody of the deanery of the King's Free Chapel of Hastynges, the King having heard from many quarters that the chapel had been greatly injured by want of rule and custody in avoidance of the deanery. (By privy seal.)

1337. 11 Edward III.

In this year Froissart the historian was born.

*Pat. Rolls, 11 Edward III. m. 22.*

Licence during the King's pleasure for Master Walter de Lyndrige, King's clerk, Dean of the King's Free Chapel of Hastings, to be away from his deanery in the company of John de Warrener Earl of Surrey, with whom for certain reasons the King has commanded him to stay (Westminster).

*Pat. Rolls, m. 31, March 7th, 1337.*

Notification to John, Bishop of Chichester, that the King had revoked his late presentation of John de Sarum, King's clerk, to his prebend of Holynton, in the Free Chapel of Hastings, on proof that at any time of such presentation the prebend was and still is filled by Richard Coumley. (By privy seal at Westminster.)

## Ordinances as to Alarm Bells and Beacons

Edward set sail on July 21st, 1338, and landed next day in Antwerp. Meanwhile the great Council of Regency in England with Prince Edward, now Duke of Cornwall, as *Custos* of the Realm, was apprehensive of an attack from the French fleet, and the sheriffs were ordered to prepare beacon-fires and to ring the bells of the churches along the coast. Thus, in case of invasion, the alarm would extend from county to county, from end to end of the kingdom.<sup>1</sup>

The alien priors and monks, including those of Lewes, were ordered away from their priories to the inland parts of the country, while the national clergy were summoned to array and arm their dependents (*Foed.* ii. 1061, October 4th, 1338; 1066, November 20th, 1338).

<sup>1</sup> November 20th. The orders were that in Sussex and fifteen other maritime counties within seven leagues of the sea only one bell should be rung for ordinary use, so that in case of attack the people might be warned by the ringing of all the bells at once.

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*Pat. Rolls, May 19th, 1337.*

Presentation of John de Woodford to the prebend of Writling Hoo, and Mymesfeld (Ninfield), in the King's Free Chapel of Hastings. (By privy seal at Clipstone.)

*Pat. Roll, May 19th, 1337.*

Presentation of same to John, Bishop of Chichester, the prebend said to be late of John de Snodland deceased (by privy seal).

*Pat. Rolls, June 30th, 1337.*

Mandate to Dean, etc., to assign stall, etc., to above.

*Pat. Roll, June 26th, 1337.*

Mandate to Dean to assign stall, etc., to Master William de Alverwyk, admitted by John, Bishop of Chichester, on the King's presentation to the prebend of Malrepast, lately void by the resignation of Richard de Turbevill (at Stamford).

*Extracted from the Register of Robert Stratford of good memory, formerly Bishop of Chichester, in the year of our Lord 1337.*

5 Ides November, in the year aforesaid, the Lord Bishop admitted Master Henry de Iddesworth to the prebend of Stone, in the Lord King's Chapel in Hastyngs Castle, in the diocese of Chichester, at the presentation of our said Lord the King, patron of the said prebend, and instituted him prebendary therein, and the said Master Henry swore obedience to the lord (Bishop). And the said lord wrote to the Archdeacon of Lewes or his official to induct the same into corporal possession of the prebend aforesaid and of the rights and appurtenances thereof. (*Ch. Mis. R.*  $\frac{1}{4}$ ; and also *Pat. Rolls.*, m. 18. By privy seal at Leighton Buzzard.)

*Pat. Roll, m. 20, November 10th, 1337.*

Mandate to Dean in usual form for same, who had been admitted by Master Robert Stretford, Bishop, elect and confirmed of Chichester, to the prebend of Stone (at Leighton Buzzard).

*Pat. Roll, November 16th, 1337.*

Presentation of Master Richard de Bynteworth, King's clerk, prebendary of Lincoln, to the prebend of Stone, in the King's Free Chapel of Hastings, on an exchange of prebends with Master Henry Idesworth, King's clerk.

3 Ides March in the year of our Lord abovesaid, Richard Wilkford, clerk, was admitted to the prebend of Stone, in the Chapel of Hastyngs, vacant by the resignation of Master Richard de Wyntworth (? Bynteworth), at the presentation of the Lord Edward, the illustrious King of England. And he has letters patent of this his admission, and others directed to the Archdeacon of Lewes or his official, to induct him into possession. (*Ch. Mis. R.*  $\frac{1}{4}$ .)

In the year of our Lord 1338, 16 Kalends June, in the year abovesaid, John de Flete, priest, was admitted into the prebend of Wertlyng, Nenefelde and Hoo, in the Chapel of Hastyngs, in the diocese of Chichester, vacant by the death of Sir John de Aylestone, at the presentation of the Lord Edward, King of England, and was instituted in the same with the full rights of a canon, etc., and has letters patent of institution, and others directed to the Archdeacon of Lewes or his official to induct him. (*Ch. Mis. R.*  $\frac{1}{4}$ .)



# Muster Roll of the Rape. 1339

13 EDWARD III. (1339-40) (Ex. College of Arms MS. L. 17.)

Armyd men as well horsmen as footmen, in the Rape of Hastings, anno Edward III.  
xiii, taken out of the Booke of the Abbey of Battell. (The fyrst booke.)

## *Men of Armes.*

The Bisschope of Chichester for his maner of Bexle (Bexhill)	j man of armes
The Abbot of Begeham for xx <sup>l</sup> land in Bokeland and Kechenham (Kitchenore in Beckley)	j " "
Thomas de Hoo for xx <sup>l</sup> in the maner of Wertlyng	j " "
Sir John de Fyenlis for xx <sup>l</sup> land in Horsemounse (Herstmonceux)	j " "
Edmond de Knell for xx <sup>l</sup> land in Knelle	j " "
The Abbot of Fescamp for xxx lande in Brede	{j " " and one hobelier
The Abbot of Robertsbridge for xl <sup>a</sup> land in Fodeland Parke, Odyham, Werthe and othier landes in the said Rape	2 men of armes
Gilbert Maleville for xx <sup>l</sup> land in Iwhurst (Ewehurst)	j man of armes
Henry de Groshurst for xx <sup>l</sup> land in Aschebournham (Ashburnham)	j " "
Therle of Richemonde for xx <sup>l</sup> land in Bevyllham Cronchurst, and for xx <sup>l</sup> land for servis in the said Rape	j " "
Sire Symon de Echingham for xx <sup>l</sup> lande in Echingham	j " "
Sir Roger de Hussey for xxx <sup>l</sup> lande in Odymer, Mudelfield and Oxenbridge (Brede)	{j " " and one hobelier
Thomas de Hastings for xx <sup>l</sup> lande in Nederfield and Holyngton	j man of armes
John Wardeden for xx <sup>l</sup> land in Bodyham	j " "
Thomas de Heringand for xx <sup>l</sup> lande in Ikeslesham	j " "
Sr Reynold Cobham for xx <sup>l</sup> land in Hoo	j " "
John de Ore for xx marks land in Geslinge	j " "
Lady Margaret de Pacheley for xx <sup>l</sup> land in the Mote Pacheley, Frenkiscourt and Regge	2 men of armes
Roger de Monboucher for xx <sup>l</sup> (Sic) in Fillelsham and Hamerden.	j man of armes
William de Lessingham for xx <sup>l</sup> land in Peplesham and Crouham	j " "

## *Hobeliers.*

(Hobilers=Light Horsemen for Coast Service.)

John de Warbleton for xx marks land in Warbleton	j hobelier
Henry de Penhurst and his mother for x <sup>l</sup> land in Penhurst	j "
John de Goldingham for x <sup>l</sup> land in Wiltings	j "
The Prior of Hastings for viij <sup>l</sup> land in Nederfeld, Haukesbgh and Baldeslowe	j "
The heire of Thomas de Codynggs for x marks land in Iwhurst	j "
The heire of Ric. Wardeden for x marks land in Bodyham	j "
Symon de Wigesull for x <sup>l</sup> land in Wigesull	j "
Theirs of Aleyn de Boxhull for x <sup>l</sup> land in Bokeshull, Monkesnesse and Echme	j "
Rycharde de Blorton for x <sup>l</sup> land in Lounefore	j "
Sr Thomas de Aldoun for x marks land in Borghwashe (Burwash)	j "
Agnes de Levelisham for x marks land in Levelisham	j "
John de Cressy for x marks lande in Westfelde	j "
Agnes at Lye for x marks in Lye	j "
Raulf Eyfoull for x marks in Schoeswell	j "
John Coppecorge and Rychard de Swasham for x marks land in Bocholte	j "
Henry Vynche for x <sup>l</sup> land in Kechenore	j man of armes
John at Gate for x marks land in La Gate	j " "
James Echingham and John Waller for x marks lande in Glotingham	j " "

## *Armyd Fottmen.*

Robert Alard de Iham for land in Gestlinge	j man of armes
John de Longe for v <sup>l</sup> land in Gestling	j " "
Margarett the widowe of Gervis Alard for v <sup>l</sup> land in Sneyllham	j " "
Robert Aillard for v <sup>l</sup> land in Stoulynte.	j " "

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John Fynche for v <sup>l</sup> lande in Mersham . . . . .	j man of armes
Robert Aillard for v <sup>l</sup> land in Dolham . . . . .	j " "
John Jacob for v <sup>l</sup> at Fremyngham . . . . .	j " "

## Bowmen.

The Bisschope of Chichester for land in Toreserch . . . . .	j man of armes
Richard de Stonner for xl <sup>a</sup> land in Lym . . . . .	j " "
Richarde de Peplesham for xl <sup>a</sup> land in Coudem (? Couden). . . . .	j " "
John de Lounesford for xl <sup>a</sup> land in Cottesfeld . . . . .	j " "
William Garland for xl <sup>a</sup> land in Cattesfeld . . . . .	j " "
John de Mavvesyn for xl <sup>a</sup> land in Cattesfeld . . . . .	j " "
John de Coddynge for xl <sup>a</sup> land in Coddings . . . . .	j " "
William de Seymer for xl <sup>a</sup> land in Marhill . . . . .	j " "
John Waleys for xl <sup>a</sup> land in Geyndin (Geusing) . . . . .	j " "
Robert Sharpdun for xl <sup>a</sup> land in Sharpdun (Shornden) . . . . .	j " "
John de Haremer and his mother for xl <sup>a</sup> land in Haremer . . . . .	j " "
The Prior of Cromwell for xl <sup>a</sup> lande in Rackett . . . . .	j " "
Thomas Padyham for xl <sup>a</sup> lande in Padyham . . . . .	j " "
The Prior of Lewis for xl <sup>a</sup> lande in Newyk . . . . .	j " "
Thomas Wemyle for xl <sup>a</sup> land in Cattesfeld . . . . .	j " "
Robert de Langhurst for xl <sup>a</sup> land in Langhurst (Lankhurst) . . . . .	j " "
Hamon at Gate for xl <sup>a</sup> land in Dicksterne . . . . .	j " "
John Ambreys for xl <sup>a</sup> land in La Lee . . . . .	j " "
James Alard for xl <sup>a</sup> land in Gotteley . . . . .	j " "
The widow of Walter Wicham for xl <sup>a</sup> land in Wicham . . . . .	j " "
Symonde de Werthe for xl <sup>a</sup> land in Werthe . . . . .	j " "
John de Suntynge for xl <sup>a</sup> land Chaumbr (Camber) . . . . .	j " "
Henry Fynche for l <sup>a</sup> land at Glasye . . . . .	j " "
Robert de Wanton for xl <sup>a</sup> land in Henham . . . . .	j " "
The heire of Henry Auchere for xl <sup>a</sup> land in Gosetrow . . . . .	j " "
Rychard Thomas for xl <sup>a</sup> lande in Gosetrow . . . . .	j " "
John de Beche for xl <sup>a</sup> lande in the houndrithe of Nedderfeld . . . . .	j " "
Gerveis de Hillinge for xl <sup>a</sup> land in Hillinge . . . . .	j " "
John Reade for xl <sup>a</sup> lande at Gevesinge (Geusing) . . . . .	j " "

Houndrithe of Haukesbergh—Walter de Rackelighe, Thomas de Horham.

"	Foxsherle—Walter Atwold, William de Frankwell.
"	Staple—Roger le Hore, Thomas Padyham.
"	Gestlinge—Richarde de Esshe, John Martyn.
"	Henhurst—William de Berewike, Thomas de Bokesnull.
"	Nennefeld—John de Bole, John de Lounesford.
"	Boxley—Walter le Clark, Robert le Bocholte.
"	Baldeslowe—Gervis Dyllynge, Aleyn de Foghelinge.
"	Nedderfeld—John de Beche, Thomas de Sandrithe.
"	Schoeswell—William de Wytherhindenn, Rychard Paynsey.
"	Colespore—John Bechenore, John Glesham.
"	Bello (Battle)—John Le, Adam Pessonier.

## HUNDRITHE OF BALDESLOWE.

### Centenari<sup>l</sup>.

(Centenarius=Captain of one hundred men.)

Peter Baldeslow.

### Vintenari.

(Vintenarius=Chief of twenty men.)

Rychard Knyft.

## Sagitar<sup>l</sup>.

(Sagitarii=Archers.)

Roger Sotynton.

Rychard Stevene.

John de Southume.

John de Gegheland.

John Gibelott.

Robert Knyge.

John at Reade.

Ralfe at Hurst.

## Wydem<sup>l</sup>.

(Whyniardemen=Swordsmen.)

William Sotington.

Robert Knyft.

Stevin de Ramisborne.

William de Southynne.

William P'kyn.

Gilbert de Wedington.

John Schorte.

## Pikesteves.

John Randolf.

Robert de Langrishe.

Thomas at Borghes.

John at Gate.

Rychard King.

William at Dene.



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## THE BOROUGH OF WYLTYNGE.

*Vintemar'.*

Robert de Holington.

*Sagittar'.*

Robert Kinge.  
William de Fylesham.  
Robert at Wyne.  
John Baldeslowe.  
John Skute.  
Richard P'kin.  
Roger at Hurst.  
William le Rede.  
James Crouche.  
Thomas Withflet.  
Ric. Witheflet.  
William Somener.

*Wydem'.*

Peter Otlande.  
John Cocks.  
John Avery.  
Thomas Frankelyn.  
Ric. de Glesye.  
John de Shephard.  
John Crosley.  
John Coks.  
Robert at Bergge.  
Rychard Gunter.

## CROUHURST.

*Vintemar'.*

John Crull.

*Sagittar'.*

William at Broks.  
William Nateleghe.  
William Colyn.  
Rychard Twynem.  
Ric. de Elvingherst.

*Wydem'.*

Richard Auncell.  
John Bartelott.  
Thomas at Heires.  
Wm. Crull.  
William Mot.  
James Kinge.  
Aleyn Kinge.

*Pykesteves.*

Henry Natteleger.  
William Chyllehele.  
John Natege.  
Robert Cukkon.  
John Grundelye.  
John at Nashe.  
John Huchened.  
Robert Nateleghe.  
Ric. de Kents.

## IN LEGHE.

*Vintemar'.*

William le Tailour.

*Sagittar'.*

Aleyn Bartelott.  
John Symond.  
William Martyn.  
John at Wood.

*Wydem'.*

Robert at Hethe.  
Stevin de Norton.  
Thomas de Randolf.  
John Colyer.  
Robert Prodell.  
Walter Horsman.  
John de Croushurst.

*Pykesteves.*

John Lovell.  
Roger Godhuve.  
Roger Ricard.  
William Bartelott.  
John Stevene.  
William in Lighe.  
Robert Blakebrok.  
Stevin in Lighe.

## THE HUNDRITHE OF COLSPORE.

*Centenarius.*

John Oxenbrigg at Gate.

*Vintemar'.*

Ryc'. Joce.

*Sagittar'.*

Roger de Hope.  
John Clarke.  
Robert at Revere.  
Richard Bone.  
William Godwyne.  
William at Grave.  
John Aleyn.  
John sonne of Stevin.  
Symon Joce.  
Stevin sonne of William of  
Pedelisham.  
William sonne of William of  
Sellingham.  
William de Bykenold.  
John de Hope.  
Thomas Pants.  
Geffrey Gate.  
Ric. Quainterell.  
Richarde de Tillingham.  
John Paynot.  
Alexander Togham.  
John Stevin.

## THE HUNDRITHE OF HAUKESBURGH.

*Centenarius*, Adam de Craule.

BURGHERST.

*Vintemar'.*

Richard Limesey.

*Sagittar' et Gisarm' (Gisarmes).*

Robert Forester.  
Roger Cryspe.  
Roger Gendwishe.  
Peter Turymory.  
Richard Chessman.  
William Mavyn.  
William de Henchers.  
Morys Fitzw<sup>m</sup>.  
Roger de Congherst.  
Aleyn Browyng.  
Walter Motyn.  
Stevin Highlott.  
Wm. Burgherst.  
John Henhurst.  
Walter Maleward.  
Aleyn at Weston.  
John Dyn.  
Roger Crouche.  
John Coks.

*Vintemar'.*

Richard de Curry.

*Sagittar'.*

Robert Hobeday.  
Wm. at Panks.  
Wm. at Dene.  
Walter at Ford.  
John Birchett.  
Symond at Done.  
John Deywode.  
Wm. Folere.  
John, sonne of John at Hole.  
Walter sonne of Henry.  
Geffrey de Pideleshurst.

*Gisarm'.*

Henry at Dene.  
Robert Techere.  
Andrew Sutor.  
Thomas Selkin.  
Thomas Birchett.  
John Hebedy.  
Morys Virgeve.  
Peter Bedeking.

TOTELWOURTHE.

(Tottingworth.)

*Vintemar'.*

John sonne of Aleyn.

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## *Sagitar'.*

Peter de Bredhurst.  
John de Gotreshelde.  
John de Pouleswourthe.  
Wm. de Mylkhurst.  
Steven Stanhurst.  
John de Bredhurst.  
Ric. sonne of Adam.  
Walter sonne of Wm.  
Nycholas Bron.  
Benjamin de Widderhose.

## *Gisarm'.*

Richard Smythe.  
Richard Ponte.  
Robert sonne of Walter.  
Symon Tornour.  
Wm. Thornregge.  
Richard Dikeknolle.  
Gilbert Prest.  
Robert Fishere.

## HOUNDRITHE OF COL- SPOR, UT INFRA.

## *Vintemar'.*

Robert Albotesbond.

## *Sagitarii.*

John de Oxenbrige.  
Ric. at Hope.  
Robert at Wode.  
John Smythe.  
John sonne of Ric.  
John Rust.  
John Lovekin.  
John at Knell.  
John sonne of John.  
Walter de Bredenehexte.  
Stevin de Bredenehexte.  
Benedicke Bredenehexte.  
Hugh at Wydegate.  
Robert de Bexley.  
Stevin at Kell.  
John de Devyngton.  
Thomas de Bellehurst.  
John, sonne of William Hope.

## *Vintemar'.*

Richard de Kilverthe.

## *Gisar'.*

Robert de Beeks.  
Robert at Wode.  
William de Hope.  
John de Kent.  
John Exselott.  
William Ave.  
William Joce.  
Richard Adam.  
William de Clopton.  
John Knellere.

Stevin Maken.  
Stevin Bartelett.  
Geffry Adam.  
Robert Benett.  
John Adam.  
Edmond Bailly.  
Robert Mot.  
Thomas Bartelett.  
John de Clopton.

## *Vintemar'.*

John Aune.  
[ ]  
Walter Golspore.  
Robert Mongepere.  
William Gronere.  
John Lot.  
Ric. Roger.  
John Dansell.  
John at Forde.  
Walter Martyn.  
Stevin Tumne.  
Ric. Daniell.  
John Hoeslern.  
Geffry Zoughe.  
John Lucas.  
William Wace.  
John son of Stevin.  
John de Lighe.  
Thomas de Lighe.  
John Dyn.  
John Roger.  
William Burghton.

## HONDRITHE DE HEN- HURST.

*Centemar'.* Richard Blurston.

## *Vintemar'.*

John Courtais.  
[ ]  
John Fynghaigh.  
Elyas de Westbowrne.  
Raulf de Pesemarche.  
Thomas de Wynekeham.  
Peter Otes.  
Robert Payett.  
Estace Peres.  
Edius at Parke.

## *Sagitar'.*

Roger Wyse.  
Thomas Fynghagh.  
Roger de Hulehole.  
John Joye.  
Thomas at Noks.  
Thomas Brembeland.  
Walter Brunethe.  
William at Wyks.  
John Manyere.  
John Porett.

## *Vinten'.*

John at Rode.

## *Sagitar'.*

William at Rode.  
Thomas Fighkeit.  
Wm. Meryfeld.  
Henry Berthe.  
John Lad.  
John Bataill.  
John de Stamede'ne.  
William Brabor.  
Geffrey Leman.  
Thomas Symer.  
Wm. de Wygeselle.  
Roger at Tokenhurst.  
John Swype.  
Wm. Smithe.  
Raulfe Hulehole.  
Ric. Waterer.  
Peter Covelings.  
Raulf Benett.  
John Lorcham.

## *Vinten'.*

John Merwode.

## *Gisarm'.*

Raulf Fyche.  
Peter Idem.  
Robert de Wydekeham.  
Thomas Bereworthe.  
James Newland.  
Aleyne Manyer.  
Thomas Kyng.  
John Parlour.  
Robert Tregg.  
Walter Cungherst.  
Robert Payn.  
Robert Munjoye.  
Thomas Tryppe.  
Ric. Cohere.  
John Frebody.  
Robert Cronche.  
William at Burghe.  
Alan Turner.

## *Vinten'.*

Symon Fytte.

## *Gisarm'.*

John Wegs.  
Robert Broks.  
Walter Gersevyce.  
John Beche.  
Stevin le Ram.  
Laurence de Besingham.  
Symon Velaghe.  
John de Bampton.  
Wm. Colett.



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Adam Smyth.  
Bartilmewe de Werthe.  
John de Burgham.  
William de Stamyngden.  
John Saunder.  
John de Ratford.  
Robert de Comerand.  
Allen Cokkes.  
John Cottings.  
Alyn de Funteregge.

## HUNDRETHE DE HAUKESBURGH.

BIVELH' ME.  
(Biveham in Mayfield.)

*Vintenar'.*  
Nycholas Bivelhe'me.

*Sagitarii.*  
John de Geneshurst.  
John de Wadeherst.  
Ric. at Combe.  
Laurens Shotingherst.  
Stevin at Frithe.  
Laurens Gregory.  
William de Combdun.  
Henry de Wynden.  
Walter Alkott.  
John de Wavenham.  
Walter Burden.

*Gisarm'.*  
Gilbert Nashe.  
Ric. Wobenhams.  
Ric. Chilhope.  
Laurens Beynden.  
John de Beynden.  
Stevin at Rec.  
John Ingelat.  
Adam Golyot.  
Wm. de Pepenhoks.  
Wm. de Wevenham.  
John de Chylhope.  
Clement at Farude.  
William FitzWillyam at Rec.  
John at Heytonun.  
Rychard Wallere.  
John Ridsen.  
Richarde Dawe.  
Ric. Wolwriche.  
Stevin Turmory.  
Ric. Fynnyngherthe.  
Ihon Lullore.  
Walter at Rece.  
John Josex.  
Adam de Wodeward.  
Adam de Baylham.  
John Crollings.  
Geffrey at Heggland.

## HUNDRETHE DE FOXERLY.

*Centenar'*, John de Battesford.  
*Vintenar'.*  
Lucas Hanecoks.  
*Sagitar' cum gladijs et cultellis.*  
John Dyne.  
John at Well.  
William Haneks.  
John Stonner.  
Raulf Body.  
John his brother.  
Hughe de Rething ad Stanclere.  
John Schorte.  
John Love.  
John Badecoks.  
John Meleward.  
John Diclond.  
John Elphe.  
Egidius Cocus.  
John Champeney.  
Stevin Pukkley.  
John Pimmyld.  
Wm. de Condeyn.  
John Redinge.

*Vinten'.*  
John Russell.

*Sagitar'.*  
John Colkyn.  
Elyas de Ennyngham.  
Stevin at Sythe.  
William Dounyng.

*Gisar'.*  
John Mychell.  
John Manchall.  
Wm. Gendings.  
Wm. Jayrer.  
Wm. Poncy.  
Stevin Pother.  
Wm. Bakere.  
Andrew Coupere.  
Ric. Kersy.  
Austyn Dyne.  
Robert Ifeld.  
Robert Lyne.

*Vinten'.*  
Thomas Frankwell.

*Gisarm'.*  
John Barholt.  
Adam Newman.  
Wm. de Red.  
John de Wilsham.  
John Fitzwilliam.  
Wm. Brett.  
John Brett.

Aleyn Shott.  
Robert Scot.  
John Scot.  
John Collingham.  
John Ponte.  
Raulf Brikedun.  
Stevin Rons.  
Ric. de Birstrode.  
Wm. Fitzw'm.  
Ric. Ponte.  
Aleyn Werthe.

*Vinten'.*  
John at Beche.  
*Bacularij cum cultell'.*  
(Staves with knives.)

Ric. Reve.  
Wm. Jarvyn.  
John Bertram.  
Wm. Geffrey.  
Thomas Welbrynche.  
Walter Kyng.  
William Bemsell.  
Robert Botall.  
John Bothell.  
Robert Grym.  
John at Stocks.  
Wm. Mychellot.  
Stevin de Wodeshell.  
Thomas at Melle.  
Raulf Jamyn.  
John Rockere.  
Symon Averay.  
Reynold Colbon.  
Gilbert de Wodesone.  
Bartilnewe Bothell.

## HUNDRETHE OF NEMENESFELD.

*Decenar'.*  
(Tything man, or chief of ten  
men (?))  
John Pechard.

*Vintenar'.*  
John de Therne.

*Gisarm' cum cultell'.*  
Thomas Swynham.  
Peter Martyn.  
John Somery.  
Stevin le Yong.  
John de Eston.  
John Herne.  
Robert Hamon.  
Thomas de Rifford.  
Stevin Sand.  
Robert Ingram.  
Robert Broun.  
Thomas at Cheche.

# Muster Roll of the Rape. 1339

*Vintnar'*.  
William de Telton.

*Gisarm' cum cultell'*.  
William Franceys.  
Wm. Lonesford.  
— Hope.  
Wm. Mychell.  
Robert Kneer.  
John de Bromham.  
Wm. at Broke.  
Mychell Henlegh.  
Symon de Aldelond.  
Andrew at Conne.  
John Penelond.  
Wm. at Water.  
Wm. at Berge.  
John Edryche.  
Walter Elys.  
Henry at Hethe.  
Symon Telton.  
John Adam.  
Galfridus Ceriche.  
John de Upton.  
Roger Maleward.  
Roger Glyde.  
John Northyne.  
John de Upton.  
Roger at Hole.  
Gilbert Hane.  
William Cobyne.  
Thomas Gelding.  
John de Holstrete.  
Stevin Redriche.  
Robert Martyn.  
Geffrey Palmer.  
Hamon Knost.  
Wm. Gardener.

## HUNDRETHE OF STAPLE.

*Centen'*, Richard le Hewite.

*Vintnar'*.  
Hughe Wodehalle.

*Sagitar'*.  
John at Grove.  
Wm. Woode.  
Wm. Padyham.  
John Dyn.  
John Golethe.  
Wm. Hunt.  
John Senegode.  
John de Beche.  
Raulf Bate.  
Stevin Benex.  
Wm. Vever.  
John Durant.  
Thomas at Brock.

*Vintnar'*.  
Roger Fletcher.

*Gisarm'*.  
Wm. de Pikenham.  
Roger Godegrome.  
John Tailler.  
Robert Fleche.  
Peter Atchurche.  
Robert de Sedelescombe.  
Aleyne Payn.  
John Fraunceys.  
Peter Coppe.  
John Border.  
Symon Hervy.  
Symon Belainz.  
John de Steyne.  
John Sannzon.  
William Bomer.  
Stevin William.  
John Bromleigh.  
Adam de Clopton.  
Raulf Horsman.

*Vinten'*.  
Symon at Beche.

*Bacul' cum cultell'*.  
John son of Robert.  
Thomas Jayn.  
Ric. William.  
Stevin Malkin.  
John Lovell.  
Robert Nytyngale.  
Walter Wynche.  
Wm. de Bromleigh.  
Danyell at Gate.  
Reynold Wynche.  
Henry de Bromleigh.  
Wm. at Knolle.  
Symon at Forde.  
John Benett.  
John at Brocland.  
John at Rede.  
Adam Taillour.  
John at Melle.

*Vinten'*.  
Thomas Arundell.

*Bacul' cum cultell'*.  
Walter Bercham.  
James Bernett.  
John Huchon.  
Abraham Roteland.  
Robert Gonnee.  
Benedyke Nytyngale.  
John Fouks.  
Symon Bertram.  
Thomas Quetilon.  
John de Berham.  
John Gentil.

William Holeman.  
John Bate.  
John Knollere.  
Robert Danyell.  
Peter Bereham.  
Stevin Desyman.

## HUNDRITHE OF GESLINGE.

*Centenar'*, William Crouh'st.

*Vintnar'*.  
John Frenyngham.

*Wyned' et Cultell'*.  
William de Lyndhurst.  
John Grafhurst.  
Thomas de Stonling.  
Nychilas Sedington.  
John de Lydeham.  
Robert Bowkton.  
William Joce.  
John Igynton.  
Thomas Gorwell.

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John Steven.  
John Watte.  
John Gibbe.  
John Lindhurst.  
John Warin.  
Peter de Henley.  
John Symon.  
Ric. Tressher.  
Stevin Frenyngham.  
Henry Benet.

*Vinten'*.  
Wm. Clerke.  
*Sagitar'*.

John Strode.  
Homo Joppe.  
Robert Snepe.  
Walter Spugard.  
John Nesslesham.  
Walter Martyn.  
John Strode.  
John Frankelyn.  
William Conelard.  
William Bollard.

*Wyned' cum cultell'*.  
Ric. at Strode.  
Thomas at Colle.  
Wm. Portreve.  
Stevin Jacus.  
Wm. Flemyng.  
John Worere.  
Wm. Flemyng.  
Wm. Torner.  
John Gervais.  
Elias Bakere.



# Muster Roll of the Rape. 1339

## *Vinten'.*

John Morys.

## *Bilmen.*

Robert at Lyve.  
Reynold Rogers.  
John Silling.  
John Gerold.

## *Wyned' cum cultell'.*

John de Farleghe. (Fairlight.)  
Walter Koc.  
Robert Coc.  
Walter Hiourt.  
John Jek.  
John Gibbe.  
Ric. at Wiks.

## *Bacul' cum cultellis.*

Wm. Poteman.  
Walter Courtman.  
Roger de Werthe.  
John Stoven.  
Ric. Motz.  
John Martyn.  
Stevin Wynd.  
Gilbert Gerold.  
William Rogger.

## *Vintenar'.*

Adam Coleman.

## *Sagitar'.*

John Adam.  
William Vonler.  
Robert Blankard.

## *Wyned'.*

John Frere.  
John Coleman.  
William Josep.  
Henry Bret.

## *Bacul' cum cultell'.*

Bryan Chyntyng.  
Wm. Blankard.  
William at Noks.  
Robert de Esshe.  
Adam Smythe.  
Wm. Chesman.  
John Godeheue.  
John Justys.  
John Juster the Yong.  
Thomas Porter.  
Robert Sire.  
John de Wrethe.  
Wm. Bronyng.

## HUNDRITHE OF GOSETROW.

*Centenar'.* John de Brede.

## *Vintenar'.*

Geffrey de Merle.

## *Sagitar'.*

Robert Sterre.  
Gerves Bremax.  
John John.  
Wm. Porter.  
Ric. Aleyn.  
Phelipe de Wyks.  
Robert Honton.  
John Hamonde.  
John de Merle.  
Henry le Smythe.  
Robert Border.  
John Broun.  
Henry Austyn.  
Peter Potesterf.  
John de Salesbury.  
John Gervays.  
Stevin Lovenham.  
John de Lovenham.  
Ric. Bachelor.  
Robert Bybbe.

## *Vintenar'.*

Elyas Andrewe.

## *Bilmen.*

John Hamond.  
John Henry.  
Wm. le Hore.  
William Gillard.  
Elyas Binenere.  
Wm. Janekyn.  
Robert Stoulak.  
Walter Hog.  
Roger Mot.  
Robert John.  
Rychard Rayson.  
John Andrewe.  
John Bachelor.  
Robert Andrewe.  
John Bachelor.  
Robert Bachelor.  
Wm. de Lovenham.  
Robert Heved.  
John le Hove.  
Aleyn Potman.  
Richard Bernett.

## *Vinten'.*

Richard Witt.

## *Sagitar'.*

William de Wyks.  
William de Wyks sonne.  
Robert Wymond.  
Wm. Edmond.  
Wm. Hemham.  
Wm. Prichell.  
Thomas Edeston.  
Henry Lewyys.

John de Henham.  
Robert Tebbe.  
Bartilmew Andrewe.  
John sonne of Rog?  
Henry sonne of Robert.  
Wm. Godard.  
John Paynet.  
Raulf Benett.

## *Vintenar'.*

Walter Bukstoks.

## *Bilmen.*

Thomas at Halle.  
Thomas de Hundestorre.  
Robert Tebbe.  
Nycholas de Hundestore.  
John le Digher.  
Thomas Prichell.  
Benedick Choteny.  
John de Hundestor.  
Robert Coleman.  
Elyas Scarl.  
Phelipe at Stone.  
Symon Sterall.  
Robert Strall.  
Robert Gillart.  
John de Gateligh.  
Thomas le Webbe.  
Edmond Wytte.  
Peter de Byrche.  
Stevin de Hemham.  
Wm. le Clarks.  
Thomas Mayses.  
James Turner.  
John sonne of William.  
Walter Fynche.

## HUNDRETHE OF NEDDERFELD.

*Centenar'.* Symon de Worth.

## *Vinten'.*

Thomas a More.

## *Sagitar'.*

Wm. de Hodesdale.  
John de Smalfeld.  
Wm. de Foxley.  
John de Capenore.  
Robert Herengw'th.  
Wm. de Hucstepe.  
Geffrey at Holt.  
John at Pirry.  
Walter de Tunstall.  
Walter le Rede.  
Robert at Rede.  
John de Tunstall.  
Robert Martyn.

## Hastings Castle Captured. 1339

Thomas Cole.	Robert Melkherst.	John de Mardere.
Thomas de Falgh. (Fairlight.)	John Wendout.	Walter Baker.
Gilbert at Stone.	Richard Kenne.	Roger Mychell.
John Pynkele.	Gregory at Pette.	Thomas de Werthe.
Geffrey at Holt.	Symon at Birchett.	Roger Twyfyde.
Wm. Hokleye.	John Pynkeley.	Robert Plott.
Henry Gowld.		Symon Bergere.
	<i>Wynedme.</i>	Raulf Sandregge.
<i>Vinten'.</i>	Robert Scott.	Ric. Bolour.
Roger Serman.	William Herewo'd.	Wm. Russell.
	John David	Roger le Boxley. <sup>1</sup>

Despite these precautions in 1339 the French fleet succeeded in burning Portsmouth. The enemy ravaged the neighbouring coast, and caused great destruction among the shipping and commerce of England. French privateers harried the south coast; and about the time of the feast of Corpus Christi, at Hastings, they burned the fishing-boats (*turguria*) and slaughtered their crews and other unarmed men (Adam Murimuth, *Continuatio Chronicarum*).<sup>2</sup>

In consequence of this attack, in which it appears that Hastings Castle was taken without serious opposition and plundered, the following order was made, and an inquest was held respecting the duties of castle guards.

*Order that the Chapel of Hastyng be safely kept (Pat. R. 13 Edward III., P. I., m. 9d.).*

The King to his well-beloved in Christ the Dean and Canons of our Free Chapel of Hastynges. Greeting. Whereas we are certainly informed by many that certain men from abroad with galleys

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<sup>1</sup> A similar document to the preceding, relating to the coastguard of Kent in 11 (eleven) Edward III. (only two years before), will be found in the *Textus Roffensis*, cap. 221 (Edit. Hearne, p. 236).—*Col. Top. and Genel.* Pp. 118-128.

<sup>2</sup> Henry Knighton also says, "In the year of grace 1339 about the Feast of the Trinity the enemy came to the Port of Hastings, and set fire to a great part of the town."

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*Note.*—A license was granted to crenelate (*i.e.* fortify) Battle Abbey.

1338. *February 18th (Westminster).* P.R. 12 Edward III., P. I., m. 35.  
Presentation of Richard de Wykford to the prebend of Stone.

1338. *April 4th (Langley).* P.R. 12 Edward III., P. I., m. 14.

Mandate to the Dean and Chapter to assign a stall in the choir and a place in the Chapter to Richard de Wykford, King's clerk, who on the King's presentation has been instituted by Robert, bishop of Chichester, to the prebend of Stone in the said chapel, void by the resignation of Master Richard de Bynteworth.

1338. *April 26th (Westminster).* P.R. 12 Edward III., P. I., m. 10.  
Presentation of John de Flete to the prebend of Wrotlyng (Wartling). By P.S.

1338. *May 4th (Tower of London).* P.R. 12 Edward III., P. I., m. 4.  
Presentation of John de Flete to the prebend of Wrotlyng, Hoo and Nynnefeld.

1338. *May 20th (Windsor).* P.R. 12 Edward III., P. II., m. 34.  
Mandate to the Dean and Chapter to assign a stall, etc., to John de Flete, King's clerk.

1338. *September 10th (Windsor).* P.R. 12 Edward III., P. II., m. 2.  
Presentation of Richard de Hathelseye to the church of All Saints', Hastings, in the King's gift by reason of the temporalities of the Abbot of Fécamp, being in his hands.

1339. *July 6th (Berkhamstead).* P.R. 13 Edward III., P. I., m. 1.  
Appointment of William de Percy to the custody of the Castle of Hastynges, to hold so long as the war with France shall last or until the King order otherwise, with reasonable wages for himself and other men deputed for the safe custody of the castle; by advice of the King's kinsman John de Warennia, keeper of the coast in those parts.  
By the Keeper & C.



## Great Inundation of the Coast. 1340

and other ships of war lately coming to the Port of Hastinges invaded in a hostile manner the said town of Hastinges and our castle there, and the aforesaid Free Chapel and your houses situated within the castle aforesaid, plundering the goods and chattels of you and others there—very gravely to our disgrace and your damage—and within a short time they are like to return there, if they can, to occupy the town, castle, chapel and houses aforesaid, unless their malice be more strongly prevented. We, understanding that you as the rest of our kingdom, for the defence of our said kingdom and your possessions in the same, are bound to expose yourselves and your property against the hostile invasions of aliens, command you more straitly enjoining that you take such order concerning the safe and secure custody and defence of the said chapel against such invasions of our enemies that such peril (which God forbid) may not by any means happen to the same chapel from such hostile assaults. And you the Dean induce, and if it should be necessary in manners and ways which may seem expedient compel, all the canons and other ministers of the said chapel to find at their own costs armed men and others for the defence of the same chapel against such hostile invasions.

Witness the Keeper of England, at Berkhamstede, the fourth day of June, 1339.

The mandate and Inquisition which disclose a number of curious particulars relative to the Rape, Castle, etc., at this time are as follows:—

*Commission to enquire as to the Castle Guard. 1339. 13 Edward III.*

Edward, by the grace of God King of England, Lord of Ireland and Duke of Aquitaine, to his beloved and faithful, John de Warren, Earl of Surrey, and to the Sheriffs of Surrey and Sussex, Greeting—

Whereas it has been given us to understand that foreign foes of ours with their galleys and ships of war have lately come to our port of Hastings, and not without dishonour to us, have made a hostile attack upon our castle therein, and, entering the same, have caused to be carried off much good and chattels therefrom. And we understand from certain persons that many tenants hold divers lands and tenements and estates of the same castle and have held them, from a time to which the memory of man runneth not—some to keep guard in the same castle; and others, by other services, as the payment of certain sums of money for the guarding of the said castle, yet the same tenants have for some time ceased to perform, and do still cease to perform these services, to the great harm and contempt of ourselves and the manifest danger of the aforesaid castle and its appurtenances.

We, therefore, relying upon your tried and proved loyalty and circumspection, assign to you jointly and severally to enquire by the oath of true and lawful men of the aforesaid counties,

1339. *September 10th (Windsor). P.R. 13 Edward III., 9 P. II., m. 22.*

Presentation of John de Ellerker, King's clerk, to the prebend of Holington, Bodiam and Iwhyrst, on exchange with Richard de Tounley.

By the Keeper & C.

1339. *October 20th (Kennington). P.R. 13 Edward III., P. II., m. 20.*

Mandate to the Dean and Chapter accordingly.

1340. *Nonæ Rolls, 14 Edward III.*

The particulars of the Parliamentary grant to the King disclose matters of local interest. It appeared that since 1292, when Pope Nicholas' Valuation for taxation was made, no less than 5,500 acres of land had been destroyed by the sea along the Sussex coast. At Guestling, Sneppes-marsh had been totally submerged (value of tithe in 1292, £2 2s. 8d.). At Fairlight, Merseham marsh had been laid waste (value of tithe, 13s. 4d.). At Pett, the marsh had been submerged (tithe value, £1 6s. 8d.). At Brede, Gateberghesmersh was submerged (tithe value, 13s.). Also the marshes at Salehust and Udimore. Hoo had 400 acres of marsh and scrub land (formerly cultivated) flooded by fresh and salt water (tithe value, £2 3s. 4d.). Ninefield had land totally submerged (value 11s. 8d.). At Wartling 200 acres of marsh and scrub land was overflowed by water and silt.

At Knelle, between Knelleflete and Robertsbridge, bordering the Rother, 650 acres had been entirely submerged. (*Pat. Roll*, November 12th, 1341).

In the Nonæ Roll, Ninfield is described as having 130 acres of arable uncultivated on account of the poverty of the parish, and also Hoo as to one-third part of the manorial land.

It was decreed that "the poor cotters nor others who live of their bodily *travaile* shall be comprised within the taxation; but them that dwell in forests and wastes and all others who live not of their gain or their own store shall be liable."

## Inquisition as to Castle Guard. 1339

and other neighbouring counties, as well within your liberties as without, by whom the truth of the matter can be better known, the names of those who hold lands, tenements, estates or holdings in this manner, and who are bound to do guard and service as above mentioned, and who have hitherto done guard and service in such wise, or are bound to do it, on behalf of their aforesaid lands and tenements, and who have refused this guard and service and decline to do it, weighing not the perilous dangers of the impending wars; and you are to compel all of them, whether they be within or without the liberties, who are bound to do the aforesaid services, by distraint or such other ways and means as ye shall see to be reasonably fitting, to perform such guard and services; and the money for the aforesaid services together with the arrears thereof, if need be, you shall raise upon their lands and chattels and cause the same, wholly or in part, to be applied to the safe and secure keeping of the said castle and such expenses as may be reasonably incurred in the keeping thereof.

And therefore we strictly charge you and each of you, and enjoin you that you use all diligence in fulfilling and doing the aforesaid, in manner aforesaid, and that you warn all persons holding lands and tenements in this wise who are bound to render the aforesaid services to be present at the taking of the aforesaid inquisition, if it seem good to you.

And we further give it in command to all and singular sheriffs, bailiffs, and other officers of the aforesaid counties, according to the tenor of the aforesaid instructions, that they obey you and each of you, as you shall make them know on our part.

And the same sheriffs shall cause to come before you or each of you, on a day and at a place appointed for such a purpose such and so many good and lawful men of their bailiwicks as well within as without the liberties, through whom the truth of the premises may be the better inquired into and known. Moreover, we grant to you the aforesaid Earl the power of appointing another or others, in whom you have confidence, to carry out all and singular the premises, as often as you, the said Earl, shall not be able to personally attend thereto. In witness thereof we have caused these our letters patent to be issued. Witness Edward, Duke of Cornwall and Earl of Chester, our dearest son, Keeper of England, the 3rd of July in the xiiiith year of our reign.

By the Keeper and the Council at Berkhamstead (*Pat. Rolls, 13 Edward III., P. I., m. 1d.*).

### *Inquisition as to Castle Guard, 1339.*

An Inquisition taken at Lewes the twenty-eighth day of July in the thirteenth year of the reign of King Edward the Third since the Conquest, before John de Warren, Earl of Surrey, and Godfrey Haustan, Sheriff of Surrey and Sussex, by commission of our Lord the King to them in that behalf directed, which commission, indeed, is to this Inquisition annexed. The said Inquisition is taken on the articles contained in the said commission by the oath of twelve true and lawful men of the Rape of Hastings, to wit, Walter de Whoknoll, Walter Bourdoun, Walter Atte Welde, John Dyne, John de Batelesford, John Sumpter, John de Lovesford, John Bole, Thomas Wandut, William de Fraunkwell, John de Esingdenn, and Walter Bats, jurors, who say upon their oath that the manors underwritten are held of the Honour of Hastings by a certain annual rent of £21 6s. 0½d., of which the following was for the castle guard, to wit—the manor of Warbelton, 7s. 6d.; the manor of Hurste, 7s. 6d.; the manor of Bivelhamme, 9s.; the manor of Eshebourne-hame, 7s.; the manor of Echinghame, 19s. 6d.; Wiggessulle, 3s.; Hamerden, 11s. 3½d.; Crowherst, 4s. 6d.; Farleghe, 9s. 9d.; Bodiham, 12s.; Gestlingh, 6s.; Covehurst, 9s.; Nedderfeld, 6s.; Cushenore, 3s.; Morle, 3s.; William Atte Felde, 9s.; Ancellus Atte Lee, 5s. 7d.; Wiltingham, 9s.; but they say that our lord Henry (III.), formerly King of England, gave and granted the Honour and Rape of Hastings and the castle guards of the same to the Duke of Brittany, and from the time of the said gift and grant the same Duke and his ministers have levied, to the use of him the said Duke, the said rents of the aforesaid manors from 16 weeks to 16 weeks yearly, without applying or assigning any part thereof for the guard of the said castle; nor have they kept any guard from that time. They also say that from the time of the gift and grant aforesaid, our said Lord the King committed the custody of the said castle, sometimes to one and sometimes to another at his pleasure, so that neither the said Duke, nor any one for him or in his name or on his behalf, did in any wise interfere with the custody of the said castle, or appoint a keeper thereof. But whether the said Duke, from what was received of the said rent, caused ward to be kept at the said castle they are likewise ignorant. In witness, etc.

*February 18th, 1340.*

The King offered to send a safe-conduct to John, Duke of Brittany and Earl of Richmond, for persons to seek redress for injuries done to beacons by the English (*Foed. II. part. iv. p. 1113*).



## Dispute as to the Deanery. 1340

Edward's invasion of France, on the other hand, was fruitless as well as costly ; the French King adroitly avoided giving battle, and at the end of the year Edward found himself sunk deep in debt (£300,000) without having advanced an inch towards the goal. He sailed for England on February 21st, 1340, leaving hostages

*February 18th, 1340 (Kennington). P. R. 14 Edward III., P. I. m. 39.*

Appointment until further order of Master Walter de Lyndrugge, canon of the King's Free Chapel of Hastynges, to the custody of the deanery of the said chapel, which has for a long time been void to the great injury of the chapel.

Writ de intendendo to prebends and vicars of the chapel. By letter of the Keeper.

*March 2nd, 1340 (Westminster). P. R. 14 Edward III., P. I. m. 33.*

Presentation of John de Etton to the prebend of Crouhirst.

*March 12th, 1340 (Westminster). P. R. 14 Edward III., P. I. m. 30.*

Appointment of Master Geoffrey de Clare to the custody of the Free Chapel of Hastynges during pleasure, or until a dean be duly elected. By P. S.

*May 1st, 1340 (Westminster). P. R. 14 Edward III., P. I. m. 10.*

By letters patent the King lately appointed Master Geoffrey de Clare to the custody of his Free Chapel of Hastynges during good behaviour, or until another should be elected dean of the chapel, but as he had previously by other letters patent appointed Master Walter de Lyndrigge, canon of the chapel, to hold the deanery, to which the custody of the chapel pertains, and he learns on trustworthy evidence that the latter has held the custody since his appointment, and has borne himself prudently and faithfully therein, he grants that he shall retain it notwithstanding the appointment of Master Geoffrey, which is hereby revoked. By K.

*May 13th, 1340 (Westminster). P. R. 14 Edward III., P. II. m. 39.*

Presentation of William de Feriby, King's clerk, to Robert, Bishop of Chichester, for admission to the prebend of Pesmersh. By P. S.

*June 12th, 1340 (Ipswich). P. R. 14 Edward III., P. II. m. 21.*

Mandate accordingly to William de Feryby. The Prebend stated to be void by the resignation of Richard de Feriby.

*May 28th, 1340 (Westminster). 14 Edward III., P. II. m. 13d.*

Commission to the Abbot of Robertsbridge, James de Achyngham, and John de Ore, reciting that the King by letters patent lately appointed Master Walter de Lyndrigge to the custody of the deanery of the Free Chapel of Hastings, and that afterwards Master Geoffrey de Clare appeared before him asserting that the said Walter was a careless custodian, and allowed the liberties thereof to be withdrawn, and praying the King to grant the same to him, and appointing them to make inquisition and certify him fully as to the behaviour in the custody of the deanery as well of the said Walter as of the said Geoffrey, who previously held the same by the King's appointment. By C.

1340. 3 Nones June, in the year abovesaid, Sir John de Thormerton, priest, was admitted to the prebend of Wertlyng, Nenefelde and Hoo, in the Chapel of Hastyngs Castle, vacant by the resignation of Sir Thomas de Stauntone, the last prebendary of the same, at the presentation of the most excellent prince Lord Edward, illustrious King of England and France, true patron of the same, and was instituted prebendary therein, and swore obedience to the said Lord Bishop of Chichester, and thereon had letters of institution, and letters were written for his induction to the Archdeacon of Lewes or his Official under date aforesaid. (*Ch. Mis. R. ½, and P. R. 14 Edward III. P. II. m. 21.*)

On the same day (3 Nones June) William de Feryby, clerk, in the person of William Gretone, his proxy, having special authority for this purpose, was admitted to the prebend of Pesemersshe, in the Chapel of Hastyngs Castle, vacant by the resignation of Sir Richard de Fereby, last prebendary thereof, at the presentation of the said Lord King, and was instituted prebendary therein. And the said proxy swore obedience in the soul of his lord to the said Lord Bishop and his servants in lawful and canonical commands, and thereon had letters of institution, and letters were written to the Archdeacon of Lewes or his Official for his induction under date aforesaid. (*Ch. Mis. R. ¾.*)

## The First Use of Cannon

with his creditors for his return after the winter. In answer to Edward's application for aid, the Houses of Parliament, as usual, put forward a list of remedial statutes, destined to redress certain grievances. Some of these proposed laws included provisions against the delay of justice and against oppression by the sheriffs, enforcement of the conformity of weights and measures, relief from the exactions of the King's purveyors, "so that none be forced to sell goods against their will." They also provided that purveyances for wars and for the revictualling of castles should be made by certain merchants specially nominated by the King's Treasurer; and further that the sheriff should see that the county was not overcharged for those attending the horses; limiting these attendances in such wise that there should be "for every horse one knave, without bringing women, pages, or dogs with them."

The King set sail again for France on June 22nd, 1340, with a fleet of 200 vessels from the Orwell. Meeting with the French fleet off Sluys two days later, Edward attacked the enemy without a moment's hesitation, winning a glorious naval victory, and inflicting a very heavy loss on the French.<sup>1</sup>

In the subsequent campaign the Duke of Normandy, son of the French King, being eager to punish the Hainaulters for the assistance which they had given to Edward, laid siege to the Castle of Quesnoy and was (it is said) repulsed by cannons and bombards which flung large iron bolts in such a manner as made the French afraid for their horses (Froissart). This is the first occasion, mentioned by the old chroniclers, of the defence of a mediaeval castle by means of cannon, although it is certain that such artillery existed at least as early as 1303. Edward besieged Tournay, but he did not succeed in taking the town. In his company at the siege of Tournay was John of Brittany (the third) Earl of Richmond, and Froissart informs us that he was "better accoutred than any other prince or lord." The campaign closed with an inglorious truce on September 25th, 1340, and Edward returned to England sunk deeper than ever in debt. On November 28th, 1340, occurred an incident connected with the King's return which is worth mention here, because it serves to show the extremely loose manner in which even the most important castles were guarded in those days; except perhaps where

<sup>1</sup> It was during Edward's absence on this occasion that the Queen gave birth to a son, John, at Ghent, in Flanders, June 24th, 1340, the very day of the victory off Sluys. Owing to his birth-place, the young prince was subsequently known as John of Ghent (or Gaunt), and under the title of Duke of Lancaster we shall afterwards meet with him as Lord of the Rape of Hastings.

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### 14 Edward III. Pat. Roll (m. 30).

Presentation of Robert Brok, parson, of the church of Cruket Malerbe, in the diocese of Bath and Wells, to the Church of All Saints, Hastyngs, in the diocese of Chichester, in the King's gift by reason of the temporalities of the Abbot of Fécamp being in his hands, on account of the war with France, on an exchange with Thomas Parl. (October 20th, 1340. Wallingford.)

### 14 Edward III. Pat. Roll (m. 16).

Presentation of Master Peter de Berkele to the prebend of Brithelyng, in the Free Chapel of Hastynges, in the diocese of Chichester. (November 25th, 1340. Wallingford.)

### 14 Edward III. Pat. Roll (m. 18).

Presentation of John Wade, parson of the church of Stouton Wyvyll, in the diocese of Lincoln, to the prebend of Wretlyng, Hoo, Nenenyngfeld, in the Free Chapel of Hastynges, in the diocese of Chichester, on an exchange of benefices with John de Thormerton. (November 28th, 1340. Wallingford.)



## Death of John, Third Duke of Brittany. 1341

special fears existed of an attack. Edward on his return sailed or rowed up the Thames, and arrived at the Tower of London at midnight. His arrival was wholly unlooked for: he discovered that the fortress was totally unguarded, and he immediately imprisoned the constable and the other officers of the garrison. The truce with France was extended in 1341 to midsummer, 1342, and in December of that year it was further enlarged for two years more.

John, Duke of Brittany, X Earl of Richmond, died on April 30th, 1341, at Caen, aged fifty-five years, and was buried in the Church of the Carmelites at Ploërmel in Brittany (now in the Department of Morbihan). At his death the earldom of Richmond reverted to the Crown. His decease led to a dispute as to the

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February 11th, 1341. The King requested John, Duke of Brittany and Earl of Richmond, to protect the merchants of Bayonne when trading in his dominions. (At the Tower of London. *Feod. II. Part ii. 1149.*)

### 15 Edward III. (m. 45).

Mandate to the Dean and Chapter of the King's Free Chapel of Hastynges, to assign a stall in the choir and a place in the chapter to John Wade, who on the King's mandate has been admitted by Robert, Bishop of Chichester, as prebendary of Wertlyng, Nynenefeld and Hoo, in the chapel void by the resignation of John de Thormerton. (February 8th, 1341. Westminster.)

### 15 Edward III. (m. 17).

Protection with clause *nolumus*, for one year, for the barons and men of the town of Rye; granted in consideration of good service done by the barons and men of the Cinque Ports. By K.

The like for the men and barons of the following towns—Hastynges, Wynchelse, Dover, Romeneye, Faversham, Sandewych, and Pevenseye. (May 4th, 1341. Westminster.)

### 15 Edward III. (m. 32).

Mandate to the Chancellor or the Keeper or Keepers of the Great Seal, to grant to John de Etton, King's clerk, the first void prebend in the King's Free Chapels of Hastynges or Briggenorth, or the first void prebend or benefice in the King's gift, by reason of voidance of any see in England, which he will accept as soon as the King's clerks Phillip de Weston, John de Wynewik, and Thomas de Hatfield, have been preferred. By P. S. (March 12th, 1341. Langley.)

### 15 Edward III. (m. 36).

Mandate to the keeper and chapter of the King's Free Chapel of Hastynges to assign a stall in the choir and a place in the chapter to Master William Flamerauns, who on the presentation of William Wauton, knight, has been admitted by R., Bishop of London, to the church of Westthurok in his diocese, a prebend of the said chapel. (March 18th, 1341. Langley.)

### 15 Edward III. (m. 24).

Presentation of Master Bernard Brocas to the prebend of Stone, in the King's Free Chapel of Hastynges, in the diocese of Chichester. (March 24th, 1341. Sheen.)

### 15 Edward III. (m. 10).

Mandate to the keeper and chapter of the King's Free Chapel of Hastynges, to assign a stall in the choir and a place in the chapter to Master Bernard Brocas, King's clerk, who on the King's presentation has been admitted by R., Bishop of Chichester, to the prebend of Stone in their chapel. (May 10th, 1341. Westminster.)

Presentation of William de Feriby, King's clerk, prebendary of the prebend of Sharhowe in the church of St. Wilfrid, Ripon, in the diocese of York, to be prebend of Malrepast in the Free Chapel of Hastynges, in the diocese of Chichester, on an exchange of benefices with Master William de Alberwyk, King's clerk. (May 24th, 1341. Westminster.) By P. S.

### 15 Edward III., May 16th, 1341.

The King granted to Thomas de Fencotes and Peter de Richmond the custody of all the castles, honours, manors, lands, and tenements, etc., in any county of England whatsoever which were lately of John, Duke of Brittany and Earl of Richmond deceased, who held of the King *in capite*, and which upon his death were taken into the hands of the King to hold during pleasure

## John de Montfort, XI Earl of Richmond

succession to the duchy of Brittany, and this directly led up to the great war with France, in which certain battles occurred which will ever be memorable in English history. Having no issue himself, John, third Duke of Brittany, in order to prevent the succession to the duchy from devolving on his half-brother, John de Montfort,<sup>1</sup> whom (Froissart says) he detested, he had given in marriage (June 4th, 1337) his niece Jeanne, Countess of Penthièvre, to Charles de Blois, Seigneur de Guise, nephew to King Philip VI. of France, his father having married Philip's younger sister Margaret (Sismondi, vol. x. p. 108). On the death of his half-brother, John de Montfort immediately took measures to secure the duchy. Some of the towns received him, and others he took by storm, thus obtaining possession of the greater part of Brittany. Charles of Blois claimed on behalf of his wife as of the whole blood, de Montfort being of the half blood, and on these grounds he appealed to Philip as the superior feudal lord. The French King summoned de Montfort to Paris, whither he went accompanied by 400 knights. After the first audience de Montfort, apprehending evil, clandestinely left his lodgings in the city, with but four attendants, and his flight was not discovered for some days. The decision was given on September 7th, 1341, in favour of Charles of Blois (Sismondi, vol. x. p. 198; *vide* also Froissart). Knowing the French King to be against his claim, de Montfort resolved to offer to do homage for the duchy of Brittany, and to hold it from Edward III., on the assumption that he was (as he styled himself) King of France. Edward acquiesced in these proposals, and granted to John the earldom of Richmond on the same day that he accepted his solemn homage for the duchy of Brittany at Lambeth.

<sup>1</sup> John de Montfort, otherwise de Bretagne, Count of Montfort l'Amaury. He was the fourth son of Arthur, Duke of Brittany, and son of his second wife Yolande, Countess of Montfort l'Amaury (widow in March, 1286, of Alexander III., King of Scots), daughter of Robert IV., Count of Dreux, by Beatrice, daughter and heiress of John, Count of Montfort l'Amaury. (He was born in 1293 and became Count of Montfort by maternal descent.) He married at Chartres, in 1329, Jane, daughter of Louis of Flanders, Count of Nevers, by Jane, daughter and heiress of Henry IV., Count of Réthel, also became famous after his death as the defender of Brittany.

[June 15th, 1341. Notarial certificate of money left by J., Duke of Brittany, to the Church of Nantes (*Foed.* ii. 2, 1164).]

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and to answer for the issues thence arising at the Exchequer, and on May 19th he granted and assigned all the issues and profits of the said lands and tenements for so long as they should be in his hands towards the support of Lionel, John, Isabelle, and Joan his children (*Foed.* ii. 1139. Pat. 15 Edward III., m. 16).

### 15 Edward III. (m. 46).

Mandate to the keeper of the King's Free Chapel of Hastynges, to assign a stall in the choir and a place in the chapter to Master Peter de Berkele, King's clerk, who on the King's presentation has been admitted by Robert, Bishop of Cicestre, to the prebend of Brithlyngg, in that chapel. (June 15th, 1341. Tower of London.)

### Pat. Roll, 15 Edward III. (m. 9d.).

Commission to the Abbot of Robertsbridge, John de Marton, and Richard de Swafham, to make a visitation of the King's Free Chapel in the Castle of Hastynges, under the following circumstances:—It is intimated to the King on behalf of the keeper of that chapel, that inasmuch as it was founded with land and rent so slender that they do not suffice to meet the charges incumbent upon it, the vicars serving the same, according to the custom hitherto obtaining therein, ought to receive their stipends for their sustenance from the bodies of the prebends, to wit, by the hands of each of the prebendaries as the charge on his prebend requires; and they have used to have their stipends in this form from time out of mind, until Master Edmund de London, late



## Grant of the Rape to John, Count of Montfort. 1341

### GRANT OF THE EARLDOM OF RICHMOND (INCLUDING THE RAPE OF HASTINGS) TO JOHN, COUNT OF MONTFORT.

The King to all whom it may concern, Greeting. Know ye that as the illustrious John, Duke of Brittany, Count of Montfort, our very dear cousin, considering the wrong done to us by the Lord Philip of Valois in the matter of his keeping the kingdom of France, in his zeal for justice against the said Philip, has concluded with us a treaty and bond of friendship. And for this reason the said Philip has seized the said county of Montfort with all its appurtenances as confiscated to himself and detains it thus seized.

We, duly considering the great affection that the said Duke gladly shows unto us, and wishing therefore to provide as is meet and right against any loss that may befall him for ourselves and our heirs, have granted to him the earldom of Richmond to have and to hold with the castles, towns, hamlets, military fiefs, advowsons of the churches, abbeys, priories, hospitals, chapels and other religious houses, with their wardships, marriages, reliefs, escheats, fisheries, parks, woods, warrens, fairs, markets, liberties, free customs, services as well of free tenants as of born serfs and everything else in whatsoever way and howsoever belonging and appertaining to the said earldom of Richmond in the same manner as the late John, Duke of Brittany and Earl of Richmond, of illustrious memory, possessed the said earldom until such time as the Count of Montfort shall recover his said county or be restored to it.

Provided always that the said Duke, when the aforesaid County of Montfort shall be recovered by him or restored to him be bound to restore to us or our heirs the aforesaid earldom of Richmond unless in this respect we grant him further favour, which, by continuing with increase his laudable behaviour toward us, he may hope from the abundance of our royal munificence.

IN WITNESS whereof etc. "By the King," at Westminster, September 24th, 1341.

February 20th, 1342. A similar grant was made confirming the above, with this exception that the grant is made terminable on the Duke obtaining lands in France of equal value to those which he had lost, and there is no further mention, as in the above grant, of future royal favours, and it is tested "By the King *Himself*" (*Foed.* ii., i. 2, 1187).

De Montfort soon after left England and returned to Nantes. Charles de Blois then took action, supported by the Duke of Normandy (Philip did not interfere personally on account of the truce with England). Nantes fell to Charles on November 1st, 1341, and John de Montfort was taken prisoner and was confined at Paris during the four succeeding years. At this time it would seem that the Earldom of Richmond (including the Rape of Hastings) was resumed by the Crown, probably on account of the imprisonment of John de Montfort, for it is

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keeper and canon of the chapel in 15 Edward II., of his own will, for himself and the other canons, began to pay their stipends from some oblations of the faithful, in honour of the Holy Cross, which were then sufficient for this, and so from that time to the present time they have been paid by the keepers out of such oblations; but now on account of the notorious poverty of the men of those parts, and also of the devotion of the said faithful from other parts being withdrawn in manifold wise, the oblations are so diminished that they no longer suffice to pay the stipends and other charges of the chapel, and the vicars for default of payment of their stipends will soon have to withdraw from the chapel unless a remedy be applied by the King. The visitors are to survey and amend any defects in connexion with persons or things pertaining to the chapel, to inform themselves touching the premises by examinations and inquisitions taken by the oath of ministers of the chapel as well as other men of those parts, and so order that the chapel shall not be defrauded of the Divine offices. (1341, November 16th, Stamford.)

#### *Pat. Roll, 15 Edward III. (m. 7).*

Mandate to the dean and canons of the Free Chapel of the Castle of Hastynges, to assign a stall in the choir and a place in the chapter, to William de Feriby, King's clerk, who has been admitted on the King's presentation by Robert, bishop of Chichester, to the prebend of Malrepast, in the said chapel, void by the resignation of John Walteri de Feryby, proctor of Master William de Alberwyk, late prebendary thereof, in exchange for the prebend of Sharhowe, in the collegiate church of Ripon. (1341, November 28th, Stamford.)

## Valuation of the Rape. 1342

not clear that the contingency mentioned in the grant (above quoted) ever came to pass. In the following year (1342) the King directed an inquisition concerning the lands of the late John of Brittany, Earl of Richmond, as follows:—

*Mandate and Inquisition post mortem. John, third Duke of Brittany.*

[The Mandate and Inquisition bear date respectively the 20th of May, and 6th of September, 16 Edward III.]

Edward, by the grace of God King of England, etc., to his beloved and faithful Andrew de Peverell, his escheator in the counties of Surrey and Sussex, Greeting. Whereas it was of late given us to understand that John, late Duke of Brittany III. and Earl of Richmond, held of us *in capite* on the day that he died; and we did command our beloved William Picote of Pateswyke, our late escheator in the said counties, that all the lands and tenements of which the same Duke was seized in his lordship as of fee in his bailiwick the day that he died, he should take without delay into our hands, and the same cause to be safely kept until we should otherwise command concerning them; and by the oath of true and lawful men of his bailiwick, by whom the truth of the thing might be the better made known, it might be diligently enquired how much land the same Duke held of us *in capite* in his bailiwick the day that he died, and how much of others, and by what services, and how much the same land was valued at *per annum* in all issues, and who his next heir might be and his age. And the same William being at this time removed from his said office, whereby the execution of our said writ is suspended, we, wishing to be certified of the premises, hereupon command you, that by the oath of true and lawful men of your bailiwick, by whom the truth of the thing may be the better made known, you make diligent inquisition upon the articles aforesaid; and the same, distinctly and openly made, you shall send to us without delay under your seal, and the seals of those by whom the same shall be made, and this writ. Witness ourselves at Westminster the 20th day of May in the sixteenth year of our reign of England, and of France the third.

The answer to this writ appears in the Inquisition which follows:—

An Inquisition taken at Berghersshe before Andrew Peverel, Escheator of our Lord the King in the counties of Surrey and Sussex, the sixth day of September, in the sixteenth year of the reign of King Edward the Third since the Conquest over England, and of France the third by the oaths of William de Berewyke, John Haremere, John de Bokeshulle, John de Beche, Thomas de Sandrugg, Richard de Southame, Robert de Bothel, Thomas de Birchette, John Parker, Alan Fothelynge, Alan Bertilot, William de Hodesdale, Alan Kyng, John Grul, John Coupere, Geoffrey Atte Dene, and Gilbert de Wanbourne, who say upon their oath that John late Duke of Brittany and Earl of Richmond, held in fee the day that he died the Rape of Hastings, in the county of Sussex, of our Lord the King *in capite* by the service of two knights' fees and a half. And they say that there is in the said Rape a certain manor called—

	£	s.	d.
Burghersshe, and also a certain Chase called Dalvington whereof the herbage is valued at <i>per annum</i> 13s. 4d. In the whole <i>per annum</i> . . . . .	8	19	0
A manor called Bivelham. There also is a certain waste place called Combe Wood, etc. . . . .	13	2	2
A manor called Crowherst, etc., valued at <i>per annum</i> . . . . .	11	0	2
Also they say that the common fines of all the tenants of the said Rape are valued at <i>per annum</i> . . . . .	1	2	9
Surplusage of Albe Farm or Blanche Ferme, valued at <i>per annum</i> . . . . .	1	0	2
The Castle Guard belonging to the said Rape is valued at <i>per annum</i> . . . . .	20	0	0
The Farm of Codyng and Lastage of Winchelse is valued at <i>per annum</i> . . . . .	8	0	0
Pleas and perquisites of the Hundreds and Lastage of the said Rape . . . . .	6	0	0
Resolved Rent and Assize therefrom to Hastings Castle . . . . .	1	19	0
From Albe Farm or Blanche Ferme payable to our Lord the King by the hands of the Sheriff . . . . .	2	0	0
Also the said jurors found that the said Duke held in the Rape of Hastings the advowson of the church of Burghchurshe (Burwash), of which the extent was <i>per annum</i> . . . . .	20	0	0
Also that he held 52 knights' fees belonging to the Rape of Hastings, which were divided among the following tenants to wit,			
Thomas Hoo Knight held in Wertlinge, Coudenne, and Sokernersshe 5½ knights' fees, valued <i>per annum</i> at . . . . .	24	0	0



# Grant to John of Gaunt, XII Earl of Richmond

	£	s.	d.
Robert de Sharndenne, one knight's fee in Sharndenne and Bourne, valued <i>per annum</i> at . . . . .	6	0	0
John Waleys, Adam Atte Combe, and other persons in Bayndene, Wadehurst, and Maghefeld—2 knights' fees, valued at <i>per annum</i> . . . . .	11	0	0
James Echingham, in Echingham, Salehurst, and Mundifeld, 5 knights' fees, valued at <i>per annum</i> . . . . .	24	0	0
Robert de Passele, in Tycehurst, 1 knight's fee, valued <i>per annum</i> at . . . . .	4	6	8
Robert de Wanton in the same, half a knight's fee, valued <i>per annum</i> at . . . . .	3	0	0
Reginald Mounboucher in Hamerdenne 1 knight's fee, valued <i>per annum</i> at . . . . .	6	0	0
William de Ore, 1 knight's fee in Tycheshurst and Seddlescombe, valued at <i>per annum</i> . . . . .	4	5	0
John de Ore, in Gestlyng, half a fee, valued <i>per annum</i> at . . . . .	2	6	0
John Rede of Genesyng, in Gestlyng, the 4th part of 1 knight's fee, valued <i>per annum</i> at . . . . .	1	5	0
Our Lord the King, in Iklesham the 4th part of 1 knight's fee, valued <i>per annum</i> at . . . . .	1	5	0
Nicholas Atte Beeche, 3 parts of 1 fee in Iden, valued <i>per annum</i> at . . . . .	4	0	0
James de Echingham, Robert de Passele, and Robert de Wanton, in Crowhurst, Mundifeld, and Brightlyng, 1½ knights' fees, valued <i>per annum</i> . . . . .	5	0	0
Robert de Wanton, in Mundifeld, the 4th part of 1 fee, held by the service of 1d. <i>per annum</i> for all services, and valued <i>per annum</i> at . . . . .	1	2	0
Thomas de Hasting, in Iklesham, Cattesfeld, Nedderfeld, Seddlescombe, and Burghersshe 5½ knights' fees, valued <i>per annum</i> at . . . . .	18	0	0
Thomas de Passele, in Farleghe, 3½ knights' fees, valued <i>per annum</i> at . . . . .	18	0	0
John de Goldingham, in Wiltinge, with its members 3 knights' fees, valued <i>per annum</i> at . . . . .	16	0	0
John Wardedeu and the heirs of Richard Wardedeu, in Bodiham and Penhurst, 4 knights' fees, valued <i>per annum</i> at . . . . .	20	0	0
John de Fynnes, in Hurst, Gotelee, and Lourdyng street, 1½ knights' fees, valued <i>per annum</i> at . . . . .	12	0	0
John de Warbelton, in Warbelton, Brightlyng, and Westfeld, 2½ knights' fees, valued <i>per annum</i> at . . . . .	10	0	0
Henry de Grothurst in Ashbournham 2 knights' fees, valued <i>per annum</i> at . . . . .	11	0	0
Reginald de Mounburchier, in Filesam, 1 knight's fee, valued <i>per annum</i> at . . . . .	5	0	0
Henry Fynche, in Kaechnore, 1 knight's fee, valued <i>per annum</i> at . . . . .	5	10	0
The heirs of Richard de Codyng, in Iwhurst, 6 knights' fees, valued <i>per annum</i> at . . . . .	2	10	0
Edmund de Knelle, in Morehalle, 1 knight's fee, valued <i>per annum</i> at . . . . .	5	10	0
The Abbot of Battle, in Watlyngton and Seddlescombe, 2 knights' fees, in pure and perpetual alms <sup>1</sup> . . . . .			
The Abbot of Robertsbridge, in Salhurst and Seddlescombe, 1½ knights' fees, in pure and perpetual alms . . . . .			
The Bishop of Chichester in Buxle (Bexhill), in like manner 2 knights' fees—held in pure and perpetual alms . . . . .			

16 Edward III. *Pat. Rolls*, p. 3 m. g., November 13th, 1342 (*Foed. ii.* 1214).

The King having created his son John of Ghent Earl of Richmond, and granted to him and the heirs of his body the castles, manors, lands, tenements, etc., belonging to that earldom, granted on November 20th the guardianship and care of the said Earl and of Lionel, Edmond, Isabelle and Joan the said Earl's brothers and sisters to Queen Philippa, his wife, and their mother, and also the custody of the said earldom and of the castles, manors, lands and tenements thereunto belonging till such time as the said Earl should come of age or he the King should order otherwise towards the support of the said Earl and the others his children. (Given at Kennington.)

<sup>1</sup> In pure and perpetual alms, otherwise called frank-almoign—lands given in this manner to religious uses were discharged from all taxes and other secular burdens. Of the lands so given here to the Abbot of Robertsbridge, we have a particular account in a patent of Edward IV. (1465) which confirms a charter of Richard I.—granting—"All and singular tenements, men, services, and rents of Alured de St. Martin founder of the same Abbey, and which he gave to them in pure and perpetual alms.

## Evils of the Ecclesiastical Patronage

In 1342 Edward endeavoured to negotiate with Philip for a peace ; nevertheless, he carried on active preparations for an invasion of Brittany. On October 5th he set sail for that duchy, his troops having preceded him. The French attacked Hennebon, which was most gallantly defended by the wife of John de Montfort. She was eventually relieved, when at the point of surrender, by the English fleet under Sir Walter de Maunay.<sup>1</sup>

<sup>1</sup> On March 10th, 1342, the King appointed Walter de Maunay to receive and keep the town and castles in Brittany belonging to the Duke of Brittany.

Same date. Receipt for a loan of £1,000 from the Duchess of Brittany, Countess of Montfort, and Almaric de Cluzon, guardian of the Duke.

Same date. The King sent persons to Brittany to coin money for his subjects there, and promised that it should not be to the prejudice of the Duke or Duchess of Brittany, at Westminster (*Foed.* ii. p. 2, 1189).

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### 16 Edward III. Pat. Rolls (m. 30).

Grant for life to John Wade, King's clerk, of the custody of the King's Free Chapel of Hastynges.

Mandate to Walter de Lyndrich for livery of the custody to the foregoing. Writ *de intendendo* to the chapter of the chapel. (1342, March 3rd, Westminster.)

### 16 Edward III. Pat. Rolls (m. 27).

Presentation of Philip de Weston to the prebend of Salhirst, in the King's Free Chapel of Hastynges, in the diocese of Chichester. (1342, March 26th, Eltham.) By P. S.

1342. *Papal Register* (Letters, No. 188 B), 2 Clement VI. 4 Non. July, F. 45. Provision of a Canonry of London, with expectation of a Prebend, notwithstanding that he had a canonry and prebend of Hastings (at Villeneuve by Avignon).

### 16 Edward III. Pat. Rolls (m. 12).

Presentation of William de Dalton to the prebend of Brightlyng, in the King's Free Chapel of Hastings, in the diocese of Chichester, void by the death of Master Peter de Berkele. (1342, April 28th, Tower of London.) By P. S.

### 16 Edward III. Pat. Rolls (m. 6).

Mandate to the keeper and canons of the King's Free Chapel of Hastynges, to assign a stall in the choir and a place in the chapter to William de Dalton, King's clerk, who on the King's presentation has been instituted to the prebend of Brizlyngg (Brightling) in their chapel, by R., Bishop of Chichester. (1342, May 20th, Westminster.)

1343, Feb. 8th. Mandate to assign a stall to Paul de Monte Florum, prebendary of Westthurock. (17 Ed. III. P. I. m. 43.)

1343, March 30th. William de Northo' (Sheriff of Sussex), James de Etchingham and John Paulyn of Rye, are ordered to attach those persons who by night forcibly entered by ladders over the walls of the Castle, and assaulted and imprisoned the ministers of the Chapel, and carried away books, chalices, vestments and ornaments of the Chapel, and now keep themselves in the said Chapel by force of arms. To be kept in safe custody at Guildford. (16 Ed. III. P. I. m. 32d.)

1343, April 6th. Dissensions arising between Walter de Lyndrik (pretending to be Keeper of the Deanery) and John Wade (who claimed the custody), whereby dilapidations occur, and services for the souls of the King and his progenitors are neglected ; the Abbot of Robertsbridge is ordered to hold the Chapel *pro tem.* (*Pat.* 16 Ed. III. P. I. m. 32d.)

1343, April 7th. Presentation of John de Heselarton to the prebend of Wortling, Ninfield and Hoo, on exchange with John de Wodeford.

1343, May 5th. An exchange took place between John de Woodford, dean of the Free Chapel of St. Martin's le Grand, London, canon and prebendary in the Free Chapel of Hastings, Chichester, brother of Castle Donyngton Hospital, Lincoln diocese, and Master John de Heselarton, rector of Hatfield (Register of Symon de Montacute, Bishop of Ely, 1337-43).

1343, May 10. Presentation of Nicholas de Bokelond to Wertling, Ninfield and Hoo. (17 Ed. III. P. I. m. 19.)

1343, May 15th. Appointment of Walter de Lyndrik to administer the Chapel which is decayed, and its services neglected. (*Pat. Roll.* 16 Ed. III. P. I. m. 24.)

1343, May 26th. Commission to Hugh de Berewyk and Geoffrey de Cotes to extend the value of the Rape, etc. late of John, Duke of Brittany and Earl of Richmond. (16 Ed. III. P. I. m. 15a.)



## Ecclesiastical "Provisions"

After a number of indecisive skirmishes, in which the Countess took an active part,<sup>1</sup> a truce was agreed upon, at the intercession of the Pope, at Vannes on January 19th, 1343. The truce was arranged to last three years and a half. John de Montfort was to be set free; and if hostilities in the meantime took place between de Montfort and Charles of Blois it was agreed that these should not be considered a breach of the truce between Edward and Philip, unless either of the Kings joined in the fighting.

Edward returned to England on March 2nd, 1343; Parliament met on April 28th. The Commons petitioned the King to restrict the alleged ever-growing usurpation of the Papal See with respect to ecclesiastical patronage, and on August 30th the King wrote to the Pope complaining of the enormous

<sup>1</sup> Froissart gives a very picturesque account of the war waged by the Duke and his adherents against Charles of Blois.

1343, July 12. Presentation of Amandas Fitling to Wertling, Ninfield and Hoo. (17 Ed. III. P. II. m. 35.)

1343. A Papal letter 5 Kal. October F. 399d. To the Archbishop of Canterbury. Mandate to make provision to Walter de Lindregg, M.D., Archdeacon of Lewes and Canon of Hastings of a canonry in London. Granted, Avignon.

1343. Papal petition 2 Clement VI. Avignon by Villeneuve, 5 Kal. October. John, Earl of Warren, on behalf of his clerk Walter de Lindregg, Doctor of Medicine, for a canonry of St. Paul's, with reservation of a prebend; notwithstanding that he holds the Archdeaconry of Lewes, which brings in not more than 50 marks of procurations and a prebend in the chapel of Hastings value 6½ marks.

1343. 16 Kal. November. John Grey, Knight, the King's kinsman and ambassador, on behalf of John Wade, of the diocese of Lincoln, petition for a benefice in the gift of the Abbot and convent of Peterborough taxed at £40, notwithstanding that he has a canonry and the prebend of Wortlinge in the church of Hastings, and a canonry of London with expectation of a prebend. Granted, Avignon, 16 Kal. November.

1344, Feb. 20. Grant to John Wade, King's Clerk of the Deanery. (17 Ed. III. P. I. m. 36.)

1344, 18 Kal. April. Letter to Bernard de Broquas, M.A., Canon of Chichester. Decree making valid the exchange made by him with Peter de Galatiano, Papal Chaplain of the Canonry and Prebend of Houvavilla (in Chichester), value £30, for the Chapel of Tothull, in the diocese of London, the same being reserved to the Pope, notwithstanding that he has the church of St. Nicholas at Guildford and a prebend of Hastings, value together 40 marks.

1344, April 20. Pardon to John Wade of his outlawries for non-appearance at Court touching a plea of trespass of the Keeper of the Freechapel; on certificate by William Scot, Chief Justice, that he has surrendered to the Marshalsea Prison of the King's Bench. (*Pat. Roll.* 17 Ed. III. P. I. m. 18.)

1344, June 22. Revocation of the collation to Amandas de Fitling of the Prebend of Wortling, etc., on information that John Wade was not dead as reported. (18 Ed. III. P. I. m. 5.)

June 29th, 1344. Jane, Dowager Duchess of Brittany and Countess of Richmond, died at the Castle of Vincennes, and was buried in the church of the Franciscans at Dijon. She was widow of John of Brittany, who died in 1341 at Caen.

2 Clement VI., 1344. Petition of John Vylde, of the diocese of Chichester, for a benefice in the gift of Master Ricerius de Feribi, canon of Hastings.

1344, Sept. 27. Presentation of John de Tamworth to the Prebend of Wortling, etc., late John de Flete. (18 Ed. III. P. II. m. 22.)

1344, Sept. 30. Presentation of John Oliver to the Prebend of Wertling, etc. (18 Ed. III. P. II. m. 25.)

1344, Nov. 6. Presentation of William de Nassyngton to the Prebend of Malrepast, void on resignation of William de Feriby. (18 Ed. III. P. II. m. 7.)

1345, 18 Kal. January. Avignon, f. 130d. To Bernard de Broquas a canonry in Wells, notwithstanding that he has the prebends of Houvavilla at Chichester and Stone in Hastings and the Church of St. Nicholas at Guildford, which last he is to resign.

Current Mandate to the Deans of Chichester and Hereford and John de Eccleshale, Canon of London.

1345. Villeneuve by Avignon, f. 150. To Paul de Monteflorum (Montfleury), provision of

## Visitation of the Chapel, 1345

number of "provisors," that is, persons who were appointed by the Pope to fill vacancies or future vacancies to livings, in total disregard of the lawful patrons of such livings. Such appointments were termed "provisions," and examples frequently occur, both before and after this date, in our collection of prebendal appointments. The Commons declared that "reflecting and grieving over the injury and intolerable hurt to the kingdom" which had arisen by these provisions, they neither could nor would tolerate such matters any longer (*Fæd.* ii., 1232). These objections were chiefly urged against the alien provisions. The King wrote again on September 10th, entreating the Pope to put an end to the open scandals of the appointment of foreigners of suspicious character not residing in their benefices, who neither knew the faces of the flocks entrusted to them nor even understood their language; but neglecting the saving of souls, sought, as hirelings, only their own temporal welfare.

Edward, moreover, hinted boldly in his letter that the Pope, as successor to St. Peter the Apostle, was appointed to feed and not to shear the Lord's sheep (*Fæd.* ii., 1233). The King finally ordered that no persons might bring into England any bulls or documents for the granting of such provisions (*Fæd.* iii. 11). However, no striking results attended at that time these attempts at ecclesiastical reform. Meanwhile, all endeavours to arrange a permanent peace with France, instead of a mere truce, resulted in failure. In 1344 Parliament advised the King to bring matters to a speedy issue, and either to procure a settled peace or to make war in earnest. Edward continued active preparations for war, though he did not appear to give up all thoughts of peace.

(19 EDWARD III.) APRIL 9TH, 1345.

The Present Visitation was made in the free Chapel of our Lord the King within his Castle of Hastynges on the ninth day of the month of April by us William de Ledebury and Henry de Lokkesle by force of a commission of our Lord the King to Master John de Lecch, John de Marton, John de la Chaumbre and us the said William de Ledebury and Henry de Lokkesle directed with this clause "we do assign you four, three, or two of you," etc. Of which commission the tenour follows under this form.

"Edward by the grace of God King of England and France and Lord of Ireland to his well-beloved and faithful Master John Lecch, John de Marton, John de la Chaumbre, Master William de Ledebury and Henry de Lokkesle Greeting. Because we have heard that in our Free Chapel of Hastynges—which from all ordinary jurisdiction is exempt and free—and in the prebends, manors, and members of the same very many defects threaten in these days, and because very many lands, tenements, rents, and possessions bestowed upon the said Chapel by our progenitors, formerly Kings of England, and others, are subtracted and alienated and otherwise in divers ways eloiigned and dissipated, and divers manors lands and possessions of the said Chapel and prebends are wasted and dilapidated by the wardens and farmers of the same, and divers liberties, immunities, exemptions, and privileges granted to the same Chapel through the carelessness and negligence of the Deans of the said Chapel for the time being are lost, and the books, vestments, and other ornaments of the Chapel aforesaid by default of keeping are stolen and otherwise dispersed, And that the ministers and officers of that Chapel heretofore lead a dissolute life and do not attend the Divine offices in the said Chapel as they are bound to do, and that the pensions, offerings, rents, and emoluments appertaining to the said Chapel which ought to be converted to the reparation of the defects of that Chapel and the payment

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the canonry and prebend of Suthease (?) and York void by the death of Napolio Cardinal Deacon of St. Adrian's, notwithstanding that he has canonries and prebends of Lincoln, London—St. Martins le Grand, and Terrech (Thurrock) in St. Mary's, Hastings, and that there is a cause pending between him and Robert de Kildesby about the said prebend and canonry of York.

Concurrent Mandate to Master Robert de Cokewellis, Canon of London, John de Gynewellis Canon of Salisbury, and another therein named



## Enquiry as to Good Government

of commons and stipends of the ministers of the said Chapel and other charges there arising are applied to other uses in diminution of the Divine services, alms, and other pious works in the said Chapel long since established for the souls of our aforesaid progenitors to be absolved, and in detriment of that Chapel and contrary to the ordinance and statutes published of old concerning the observances touching the said Chapel. We willing no longer to leave uncorrected the premises if they are actually so, and trusting in your circumspection and industry, have assigned you, four, three, and [*sic* in error for "or"] two of you to visit the said Chapel as well in chief as in its members and the Deans, Canons, Vicars and other ministers and officers of the same Chapel, and to survey the state of the Chapel aforesaid, and of the books, vestments, and other ornaments of the same, and also to enquire by the oath of honest and lawful men of the County of Sussex by whom the truth of the matter may be better known, and also by examination of the ministers of the Chapel aforesaid upon the defects existing in the Chapel, Prebends, Manors, and Members aforesaid and by whom and at what times those defects happened, and concerning the behaviour of the Deans, Prebendaries and other ministers of the Chapel aforesaid and also the keepers and farmers of the manor and lands and tenements appertaining to that Chapel, and what manors, lands, and possessions of the said Chapel conferred (as is premised) so destroyed, wasted, alienated or otherwise eloiigned; also what liberties, exemptions, immunities or privileges of the same Chapel are lost, and by whom and by whose default, at what time, how and in what manner, and to duly correct the defects and excesses which shall chance to be found there, and to restore and reform in due state according to your discretions all the manors, lands and tenements which you shall find so withdrawn, concealed, dissipated, alienated and eloiigned, and also the liberties, immunities, exemptions, and privileges so lost, and also to do and execute all and singular other things which concern or might concern the visitation of the said Chapel and the correction and reformation of the premises, and to certify us in our Chancery of all your doing in the premises. And therefore we command you that at certain days which you four, three, or two of you shall provide for this purpose, you personally going to the said Chapel do and fulfil all and singular the premises in form aforesaid. For we have commanded our sheriff of the county aforesaid that at certain days which you four, three, or two of you shall make him to know the cause to come before you four, three, or two of you in the Chapel aforesaid, so many and such honest and lawful men of the county aforesaid, by whom the truth of the matter in the premises may be better known and enquired; and also to the Dean and Chapter of the Chapel aforesaid that in all and singular the premises to you four, three, or two of you they obey, attend, and answer in form aforesaid. In witness whereof we have caused these our letters to be made patent. Witness ourself at Westminster the tenth day of March in the nineteenth year of our reign of England and sixth of our reign of France."

And appearing before us there Sirs John Wade Dean of the said Chapel and Prebendary of a third portion of Wrotlynge, Nemenesfelde and Hoo, the Abbot of Robertsbridge Prebendary of the prebend of Salhirst, John Ellerker Prebendary of the prebend of Holyngton personally, And Sirs William de Ferriby Prebendary of the prebend of Pesemersh by John de Langeporte, Master Bernard Brocas Prebendary of the prebend of Stone by William de Lokkesle, William de Ferriby Prebendary of the prebend of Malrepas by Walter de Conyshirste, Master Paul de *Monteflorum* (Montfleury) Prebendary of the prebend of Thurroke by Sir John de Cauntirbury priest, Master John de Heslerton Prebendary of one portion of Wrotlynge, Nemenesfelde and Hoo by the same Sir John de Cauntirbury priest, John Olyver Prebendary of a third portion of Wrotlynge, Nemenesfelde and Hoo by the aforesaid John de Cauntirbury priest, Master Walter de Lyndriche Prebendary of the prebend of Crowehirste by Stephen atte Stife clerk, their proctors exhibiting sufficient mandates made to them by their said masters. Appearing also before us there Sirs William de Ukkefelde, John de Undele [*?* Uvdele], John de Aylesbury, William de Isefelde, Salomon de Henore, Thomas de Olneye, Robert de Langeporte priests, Ralph de Shirbourne Walter de Conyshirste, Robert Heved, Richard Persone and Robert Fichere clerks, Vicars Choral of the said Chapel, and also twelve honest and lawful laymen of the county of Sussex by whom the truth of the matter upon the things contained in the said Commission might be better known, that is to say Adam de Crall, Thomas de Horham, John atte Beche, John Wallere, Robert Hore, John atte Behe [*sic*], Thomas de Nore, Gervaise Illynge, John Rede, John de Batlesforde, Peter de Baldeslowe and John Dyne, we caused the said Commission to be publicly read before them, after the reading of which the said Dean certified us that he by his letters patent sealed with the common seal of the said Dean and Chapter had cited all and singular the Canons in their stalls, as the custom is, by virtue of our mandate to him thereupon in this behalf directed to appear before us on the ninth day abovesaid of the month of April to undergo our said Visitation and Survey.



## Delinquencies of the Late Dean

The tenour of the certificate of the said Dean is thus:—John Wade dean of the Free Chapel of our Lord the King of England in his Castle of Hastynges to the venerable and discreet men Master William de Ledebury and Henry de Lokkesle Greeting in the Author of Salvation. We have received your letters patent under this form:—William de Ledebury and Henry de Lokkesle together with the discreet men Master John de Lecche, John de Merton, specially deputed by the King's writ with this clause—that if not all, three or two of you—to visit and survey the state of the Free Chapel of our Lord the King at Hastynges as well in chief as in the members and persons belonging to the same, and to correct the excesses of those responsible, and to do and perform all other things which in this behalf shall be necessary or opportune to the discreet man Sir John Wade Dean of the said Free Chapel of Hastynges greeting in the Saviour of all men. By authority of the writ of our said Lord the King to us in this behalf transmitted we peremptorily cite you and by you peremptorily and for this reason we will all and singular the Canons and other ministers and officers of the said Free Chapel and others whom you shall have caused to be cited in this behalf that you appear and they appear by themselves, or by sufficient proctors as the custom is, in the said Chapel on the ninth day of April next coming to see and hear the said Royal Mandate, to undergo our visitation and survey, and further to do and receive according to the force, form, and effect of the said Royal Mandate what shall be of right and reason; certifying us at the said day and place what you shall have done in the premises. Given at Battle the twentieth day of March in the nineteenth year of the reign of King Edward the third after the Conquest.

[By virtue] of which letters aforesaid we John Dean aforesaid have peremptorily cited all and singular the Canons of the said Chapel in their stalls in the choir, as the custom is, that they appear before you by themselves or by sufficient proctors at the day and place contained in your mandate aforesaid to hear and receive what your said mandate shall demand and require, and so in all things we have diligently and reverently executed your said mandate. In witness whereof we have caused our common seal to be set to these presents. Given at Hastynges the twenty-second day of March in the year of the reign of King Edward abovesaid.

Thereafter upon enquiring more fully the truth of the things contained in the Commission aforesaid, we have made the said Dean, Canons, Proctors, Vicars and Laymen swear on the Holy Gospels of God corporally handled and inspected by the mand every one of them, that upon all and singular the articles in the said commission contained, which we have clearly explained in the vulgar tongue, they shall speak the plain and whole truth, intermingling nothing false nor omitting anything true. AFTERWARDS the said laymen drawing themselves aside, and counsel and treaty being long had between them upon all and singular the articles abovesaid and appearing at last before us with unanimous assent and consent said by their oath: THAT the notorious defects existing and imminent in the said Chapel, that is to say, in the roof-covering of the same, and in the belfry thereof, and bells, and also in the books, vestments, and other necessary ornaments, and in the windows of the said Chapel, are estimated at twenty pounds sterling; for repairing which defects Master Geoffrey de Clare, formerly Dean or Warden of the said Chapel, confessed in the last Visitation—as the said jurors say—that he had had and received and now has fifteen pounds sterling, which fifteen pounds the aforesaid Master Geoffrey—as the same jurors said—employs in no repair of the said defects or other things or any advantage of the said Chapel, but retains with himself in these days. The said jurors said also that very many rents of the said Chapel by the negligence of the said Master Geoffrey while he was Dean, were withdrawn and have been recovered by the said Sir John Wade now Dean, that is to say; from the tenement of Pesemersche one mark rent; from the tenement of Crowham, 18*d.*; from the tenement of Codyngges, 12*d.*; from Peter de Baldeslawe, 15*d.*; from Robert de Goldewyne, 5*s.*; from John Petyt, 3*d.*; from Richard de Blirton, 5*s.*; from John Godyng, 2*s.*; from the lord of Hore, 2*s.*; and from divers other tenements, 6*s.* But examined concerning divers rents of divers tenants comprised in a certain charter of Lord Edward King of good memory, grandfather of our Lord the King, now shown to them for evidence and read, they said that they knew nothing concerning the seizin of any dean for the time being, or how, at what times, for how long, or by whom, they had been withdrawn. Nevertheless they said that they believed these sums to be due to the said Chapel according to what was contained in a certain charter, there exhibited and read, of the Lord Edward formerly King of England, grandfather of our Lord the King that now is, and the Count of Eu. [See page 59, *ante* (?).] The said jurors said also that the aforesaid Master Geoffrey carried away two Papal Bulls containing graces and privileges of the said Chapel, and other muniments of the same. Of which Bulls he sold one to Master Walter de Lendrych, formerly warden of the said Chapel, for 20 shillings which the said Master Geoffrey received. Also that the said Master Geoffrey took away and still retains



## Expulsion of Immoral Vicars

with himself one chalice, one vestment, and one breviary, appertaining to the said Chapel, price 40 shillings. The said jurors said also concerning the state of the said Chapel or behaviour of the said Dean, Canons, or ministers of the same, that they know nothing more than they have said above. Subsequently we examined immediately (personally) the aforesaid Dean, Canons, Proctors and Vicars, singly upon all and every the articles abovesaid, who agreed in all and singular the particulars with the said laymen so sworn (as is premised) these things being added and adjoined: That the aforesaid Master Geoffrey de Clare carried away, or caused to be carried away, a missal from the said Chapel, and retains it with himself price 10s. They said also that through the negligence of the sacrist deputed by him the said Master Geoffrey, there was lost a cross of silver-gilt standing on the top of a silver-gilt cup for putting within the Body of Christ value 3s. 4d.<sup>1</sup> They said moreover that the said Master Geoffrey in the time in which he was Warden of the said Chapel, received for ten years 10s. every year for pasture in the circuit of the Castle, outside the Castle; which ten shillings so yearly received, he ought to have spent in enclosing the ruinous walls of the said Castle: as appears by the charter of our said Lord the King upon the gift of the said pasture. And he has expended nothing out of the moneys so received in repairing the said walls. Also we found by examination of the Canons and Proctors being there, and of the greater and elder part of the Vicars of the said Choir, that the aforesaid Robert Fisshere, Walter de Conehirste, Richard Persone, and Robert Heved are of evil life and dishonest conversation, because the said Robert Fisshere ravished one Agnes de Derfolde a widow, and continuously keeps her for a concubine; also that Walter de Conehirste keeps one Joan de Fareham continuously for a concubine; Richard Persone one Agnes Sibile,<sup>2</sup> and Robert Heved Isabel Colet publicly keep as their concubines, nor by any means will they send them away, although frequently warned under common penalties inflicted upon them by the Dean abovesaid. Therefore we have decreed the same to be removed from the choir of the said Chapel and from their offices there within the space of four months, according to the custom of the aforesaid Chapel heretofore used and observed concerning such delinquents, and to be effectually expelled by the said Dean after the space of the aforesaid four months and other able and fit men to be deputed in their stead, because in regard to such crimes they were said to be incorrigible. Also we commanded the venerable Father, the Bishop of Chichester to sequesterate, and to keep under strict sequestration, all and singular the fruits, rents, and revenues of the prebend of Bulwerhide which the aforesaid Master Geoffrey obtains in the Chapel beforenamed, and we have commanded other processes, sentences and executions to be made against him by the venerable Father abovesaid, until the whole money received by him the said Geoffrey as aforesaid and also for the aforesaid chalice, vestment, breviary, missal, and cross by him (as premised) taken away from the said Chapel, or for the abovesaid values of them shall be fully satisfied to the same Chapel: to receive which money and to expend it from day to day in the repair and due reformation of the said defects we have deputed and ordained the Dean before named as soon as possible after the said money is paid to him. And likewise whereas the said Dean in the recovery of the said rents (as aforesaid) withdrawn and other rights of the said Chapel, has incurred, and it will be necessary for him in future to incur, many expenses, we have ordained, decreed, and ordered that nothing out of the common distribution of the said Chapel shall be paid to the said Canons or any of them until the said Dean shall be entirely satisfied for such expenses imposed and to be imposed by him according to the customs, constitutions, and ordinances of the said Chapel contained in a certain public instrument which the said Dean exhibited to us and showed there, which customs, constitutions, and ordinances we have seen and read, and we have ratified and approved them by decree as consonant to reason, the tenour of which instrument is this: (Then follows the Public Instrument before quoted, dated January 4th, 1335-36, see p. 169). *Miscellaneous Chancery Roll*, 45. (See *Pat. Roll*. 19 Ed. III. P. I. 22d.)

In 1345 John de Montfort, who it seems had not so far been released,

<sup>1</sup> See description of objects discovered in the Castle ruins, *post*.

<sup>2</sup> A very old offender? (see Visitation, 1320, p. 153).

June 3rd, 1345. The King ordered William de Bohun, Earl of Northampton, to assist John, Duke of Brittany, in recovering his rights (*Fœd.* iii. p. 42). Westminster.

November 15th, 1345. The King, as guardian of John, son and heir of the late Duke of Brittany, appoints John de Charveles, his clerk, receiver of the Duke's revenues in the duchy of Aquitaine (at Westminster: *Fœd.* iii. p. i. 63), and he is ordered to obey the Earl of Northampton (December 9th).

## The Cressy Campaign

escaped from his prison at the Louvre, in the disguise of a merchant, and fled to England (Sismondi, vol. x. 249—Père Morice, *Hist. de Bretagne*).

It appears that the Duchess of Brittany was in England in July, 1345, at the castle of Tykill [Tickhill, Yorks], the constable of that castle being granted by the King 5 marks a week so long as she stayed there (*Fæd.* ii. pp. i. 17). On May 20th in the same year John de Montfort had done homage for Brittany to Edward, as King of France, at the Archbishop's palace at Lambeth (*Fæd.* iii. p. 39), after which he returned to his duchy.

On July 3rd Edward set sail from Sandwich, taking with him his son Edward the Black Prince. The King landed at Sluys, and proceeded to negotiate an alliance with Flanders, returning to London about July 26th. On September 26th, 1345, John de Montfort, the claimant of the dukedom of Brittany, erstwhile Earl of Richmond, worn out by disappointment, by the vexation of continual delay, died, it is said, of grief. His death took place at the castle of Hennebon, and he was buried at first in the church of the Holy Cross at Quimperlé, but his remains were afterwards transferred to the church of the Dominicans in the same town. His gallant wife survived him till 1362 or later. He left his son, a minor, to the guardianship of Edward III.

The King did not finally set out on his great campaign, famous for the battle of Cressy and the siege of Calais, until July 2nd, 1346. On leaving England he issued orders for due precautions to be taken, in case of an attempted invasion during his absence, establishing beacons in the maritime districts. He further gave orders that, excepting those already enlisted, no men should be compelled to go to the war in France who dwelt within six leagues of the coast in the counties of Sussex, Somerset, Norfolk, Essex, Dorset, and Cornwall. The battle of Cressy was fought on August 26th, when Edward, the Black Prince, "won his spurs." On September 8th Parliament was informed that the King had knighted the Prince of Wales, and ought to receive an aid from his kingdom (dated before Calais). In the assessments for raising the aid paid by

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1347, August 30th. The King granted an annuity of £10 to John de Merle for bringing news of the capture of Charles of Blois (at Calais : *Fæd.* iii. 734).

To William de Dalton provision of a canonry in Lincoln, notwithstanding that he is sacristan of Beverley, and has canonries and the prebends of Hastings and Bridgenorth (concurrent mandate). (*Papal Registers*, 5 Clement VI. 1347, 11 Kal. May, Avignon [f. 10d].)

6 Clement VI. 1347. Petition of John Wade, signification that, at the request of Henry, Earl of Derby, he has obtained from the Pope the church of Keteryng, in the Diocese of Lincoln, which church Allan de Setryngton is said to have accepted, who afterwards died at Rome. He therefore prays the Pope to confer on him all the rights that Allan had to the said church, he being ready to pay out of its fruits 200 florins to the subsidy against the Turks ; notwithstanding that he has the deanery of the King's Free Chapel at Hastings.

To John Wade, provision of the church of Keteryng, value 40 marks, in the gift of the Abbot and Convent of Peterborough, void by reason that Allan de Setryngton, who had obtained it on the death of Philip de Kilkenni, died at the Apostolic See, notwithstanding that he (Wade) has the canonry and prebend of Holyngton, Sussex, and the deanery of Hastings, which is to be resigned, and the canonry of London with expectation of a prebend. (6 Clement VI. 5 Kal. September, Avignon [f. 133d].)

To John Wade, rector of Ketteryng. Dispensation to hold the deanery of Hastings, the canonry and prebend of Holyngton in the same, and a canonry of London, with expectation of the prebend without resigning his rectory, which he obtained 5 Kal. September last. (*Papal Registers*, No. 188b. 6 Clement VI. 5 Kal. February, Avignon [f. 290d].)

Queen Philippa. On behalf of William de Dalton, one of the King's clerks, for a canonry and



## Naval Battle off Winchelsea, 1350

Kent on that occasion occurs, under the head of the Hundred of St. Martin, "From Fulk Payfrere, for one-eighth of a fee, which Richard Payfrere held in St. Mary Cherche, of the Fee of Hastynge—5s." The campaign ended with the fall of Calais on August 3rd, 1347. The Scots, taking advantage of Edward's absence from England, had invaded the country, but had been utterly defeated at Neville's Cross on October 17th, 1346. In Brittany Charles of Blois (the rival claimant to the duchy) continued to attack the King's commander in the duchy, but he was ultimately taken prisoner at the battle of Roche Derien, June 20th and 21st, 1347, by the English, and was sent to the Tower of London.

His wife, Jeanne de Penthievre, imitating the example of the widow of John de Montfort, carried on the war during the time of her husband's captivity. A truce was concluded with France on September 28th, and no formal breach of the peace that followed occurred for nearly eight years. England at first enjoyed a short period of extraordinary luxury, but an awful scourge was nigh at hand. In 1347 the plague known as the "Black Death" made its appearance in Eastern Europe; it seems to have reached the East of England in August, 1348, and London about three months later. Parliament was prorogued on January 1st, 1349, the plague having broken out at Westminster (*Fæd.* iii. 180). It has been estimated that the total population of England and Wales was at that period between three and four millions, and of this nearly half that number died during the successive visitations of the Black Death (Prof. J. E. T. Rogers, 2nd and 3rd vols. *Fortnightly Review*). Knighton, referring to the condition of the country, says: "The sheep and cattle strayed through the fields of corn, and there was none who could drive them." The scarcity of labourers, and the high prices demanded for labour and the necessaries of life, resulted in extraordinary legislation from time to time arbitrarily fixing the price of labour and goods. On August 22nd, 1351, King Philip of France died, and was succeeded by his eldest son John, Duke of Normandy, who confirmed the then existing truce with England. In the autumn of 1350 the Spaniards, who sided with the French, had committed certain depredations in the Channel, and Edward determined to attack the Spanish fleet, which was under the command of the Admiral Charles de la Corda. Froissart gives a

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prebend of Lincoln about to be void, notwithstanding that he is sacristan of Beverley and canon and prebendary of the King's Chapel of Hastings and Briggenth. Petition granted. (5 Clement VI. 11 Kal. May, Avignon.)

To William de Dalton, the like in Lincoln, notwithstanding that he is sacristan of Beverley, and has canonries and prebends of Hastings and Bridgenorth. (11 Kal. May, 1347, Avignon [f. 10 d].)

To William de Walton (Dalton). Confirmation of the Church of Hoghton, in the diocese of Durham, to which he was instituted by the Bishop on the presentation of the King, when void by the death of Maunsell Marmion, notwithstanding that it was reserved to the Pope. Fruits received are remitted, notwithstanding that he has the canonries and prebends of Hastings and Bridgenorth, a canonry of Lincoln, with expectation of a prebend, and is sacristan of Beverley. (17 Kal. October, 1347, Avignon [f. 180 d].)

To William de Dalton. Confirmation of the canonry and prebend of Lincoln, which he obtained on the death of Henry de Edenstowe, he having the Church of Houghton in the diocese of Durham, the sacristy of Beverley and prebends of Auckland, Bridgenorth, and Hastings. (8 Clement VI. 1349, 8 Id. May, Villeneuve by Avignon [f. 188 d].)

To John Wade, canon of London, dean of Hastings, and rector of Ketteryng. Confirmation of the prebend of Herlaston, in London, which he accepted by virtue of a papal reservation on the death of John de Ambresbyry, a doubt having arisen whether it was reserved to the Pope. (1350. 3 Id. May, Villeneuve by Avignon.)

## Grant of the Rape to John of Gaunt

very picturesque account of the naval battle off Winchelsea in 1350 (he called the battle "*Espanniols sur la mer*").

Edward issued a special summons to all gentlemen in England, and leaving London went to the south coast between Southampton and Dover, keeping his court at a monastery where the Queen also came. "The King kept the sea with his vessels ready prepared for action and to wait the enemy, cruising three days between Dover and Calais. The Spaniards had marvellously provided themselves with all sorts of warlike ammunition, such as bolts, crossbows, cannons, and bars of forged iron to throw at the enemy. On the day that the Spaniards were expected the King posted himself in the forepart of his vessel. He was dressed in a black velvet jacket, and wore on his head a small hat of beaver which became him much. He was so joyous as ever he was in his life. So said they who were present, and ordered his minstrels to play before him a German dance which Sir John Chandos had lately introduced. For his amusement he made the same knight sing with his minstrels which delighted him greatly." At length the watchman in his castle on the mast spied the Spanish fleet, and a spirited battle ensued worthy of the very best days of England's naval history. The King took a huge Spanish ship just in time to save himself, as his own vessel sank under him. The battle, which had begun before vespers, was continued until after dark, and the King's ships gained a great victory. The Prince of Wales was with the King, and also Edward's little son, John of Gaunt, Earl of Richmond, who was "too young to bear arms, but he had him on board because he loved him much." The Spaniards lost fourteen ships out of forty; the rest fled. (Walsingham says that they lost twenty-six ships, the rest being sunk or taking flight.) The English threw all the occupants of the captured vessels overboard. When it was all over, and the King saw that he had none to fight with, he ordered his trumpets to sound a retreat, and making for England, his fleet anchored at Rye and Winchelsea a little after night-fall, when the King, the Prince of Wales, the Duke of Lancaster, John of Gaunt, Earl of Richmond, and others took horse in the town and rode to the mansion where the Queen was (probably Udimore), scarcely two English leagues distant. The Queen was mightily rejoiced on seeing her lord and children. She had suffered that day great affliction from the doubts of success; for her attendants had seen from the hills of the coast the whole of the battle, as the weather was fine and clear, and had told the Queen, who was very anxious to learn the number of the enemy, that the Spaniards had forty large ships. She was therefore much comforted by their safe return.

The King, with those knights who had attended him, passed the night in revelry with the ladies, conversing of arms and amours. On the morrow the greater part of the barons who had been in the engagement came to him; he greatly thanked them for all the services that they had done him before he dismissed them, when they took their leave and returned every man to his home. (From the French of Froissart.)

GRANT OF THE EARLDOM, HONOUR, ETC., OF RICHMOND (INCLUDING THE RAPE OF HASTINGS) TO JOHN OF GAUNT. ANNO 25 EDWARD III.

(*Fœd.* ii. p. ii., 1214.)

25 Edward III. March 6th. The King by his letters patent reciting that for the considerations mentioned therein, and in order to advance the state of his most dear son John of Gaunt, he

To Bernard de Brocariis, canon of Wells. Confirmation of the Prebend of St. Decuman, which he obtained on its voidance by the death of John Giffard and doubts whether it was reserved to the Pope. He has also a canonry of Chichester with the prebend of Hova Villa (Wolua), canonries and prebends of Hastings, and the new Royal Chapel at Westminster, and a canonry of Salisbury, with the expectation of a prebend and the church of St. Nicholas, Guildford, with a chapel of St. Catherine, and another benefice out of England. (1351. 13 Kal. June, Villeneuve by Avignon [f. 182].)

To William de Dalton. Decree of enforcement touching the grant by Clement VI. 2 Kal. September, anno 10, of the canonry and prebend of Auckland, void by the resignation of Reginald, afterwards Bishop of St. David's, made into the hands of Thomas, Dean of the King's Chapel of Shrewsbury, William being canon of Lincoln, Hastings, and Bridgenorth, and rector of Houghton in the diocese of Durham. (1353. 15 Kal. February, Avignon [f. 216 d].)

Queen Isabella petitions on behalf of the principal chaplain of her chapel, Robert de Elinham, for a canon and prebend, with an office in Beverley, notwithstanding that he has a canonry and prebend of Hastings, value 20 marks, and the church of Aungre (Ongar) in the diocese of London, value 40 marks, granted at Avignon. (1353. 1 Innocent VI. 12 Kal. May. *Papal Registers*, f. 141.)



## The Battle of Poitiers

had created the same John of Gaunt Earl of Richmond by solemn investiture of the sword, etc. Gives him with consent of his Parliament, the better to support the said dignity—

The said earldom and honour, castles, manors, lands, tenements, and all other places to the said Earldom belonging. To have and to hold to the same Earl and the heirs of his body issuing, together with the liberties and prerogatives, as well as all manner of royalties and other things which John, the late Duke of Brittany and Earl of Richmond had, in the earldom, honour, castles, manors, lands, tenements, and places aforesaid; as also the knights' fees, advowsons of churches, abbeys, priories, hospitals, chapels, and other religious houses, and moreover the members hamlets, fields, feedings, pastures, fisheries, moors, marshes, turbaries, forests, chaces, parks, woods, warrens, hundreds, fairs, markets, free customs, wards, marriages, escheats, and services, as well of freemen as natives, and all other to the said earldom, honour, lands, tenements, and places aforesaid, with their appurtenances whatsoever and wheresoever, belonging or appertaining; as fully and entirely as the said late Earl while he lived held the said Earldom, Honour, etc., abovesaid, of the King and his heirs, by the services thence due and accustomed, for ever.

The said earldom, honour, etc., to revert to the Crown in case of the said John of Gaunt dying without heirs, etc.

1351. June 27th. Instructions for the Duke of Lancaster to treat of a marriage between the Earl of Richmond (John of Gaunt) and the daughter of the Count of Flanders (given at the Tower of London. *Fæd.* iii. 224).

After the capture of Charles of Blois, a truce was arranged with him in 1348 which was, however, ill kept. Warfare was actively renewed in Brittany in August, 1352, when the French King, supporting the Countess of Blois, was utterly defeated by the Countess of Montfort with the aid of English troops. During the years 1353 and 1354 a succession of truces were agreed upon, and Edward was pressed by the new Pope Innocent VI. to release Charles of Blois, which, however, he did not then do (March 20th, 1353).

In 1355 further attempts at pacification were abandoned, and a treaty of alliance took place between Edward and the King of Navarre, it being agreed that their forces should meet at Cherbourg; but the King of Navarre afterwards treacherously joined the French King. The Duke of Lancaster was commissioned to go to Brittany to assist the Countess of Montfort against the partisans of Charles of Blois. The ransom of the latter had been agreed at 700,000 florins, and was paid on August 10th, 1356. On his return to France he was elected to the presidency of the States-General in that country (October 17th, 1356).

The young claimant to the duchy, son of John de Montfort, bearing the same name, and whose gallant mother had so long fought for his claim, was now of an age to bear arms, and accompanied an expedition to Verneuil, subsequently retreating on Cherbourg (Avesbury and Froissart).

In 1356 Edward landed, with his sons Lionel and John of Gaunt, at Calais, but he failed to induce the French to give battle. Scottish troubles soon drew him away again. Meanwhile the Black Prince was engaged in Aquitaine, in what was little better than a marauding expedition.

September, 1356, saw a far more brilliant campaign, the details of which will always be memorable among the feats of British arms. The Black Prince had

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To the Archbishop of York. Mandate in regard to William de Osberston, touching a canonry and prebend of Salisbury, notwithstanding that he has the church of Stamford in the same diocese, and canonries and prebends of Wimborne, Wherwill, and Hastings, which last he is to resign. (3 Innocent VI. 1355. 9 Kal. February, Avignon [f. 181].)

Petition by Guy de Brieune. On behalf of his clerk William de Osbreston for a canonry of Salisbury with expectation of a prebend, notwithstanding that he has the church of Stamford and the canonries and prebends of Wimborne, Wherewill, and Hastings, granted Avignon. (3 Innocent VI. 9 Kal. February, 1355.)

## “The Pelham Buckle”

penetrated into the heart of France, and was ravaging and plundering as he was wont to do. King John of France, burning to avenge himself upon the invader, marched to meet him with 48,000 men. The Black Prince, mustering only about 8,000 men, retired before the French King towards Bordeaux, through Poitou. In the meantime the French daily gathered strength, and Froissart says that they numbered above 60,000 horse. On September 17th the Prince's outriders accidentally fell in with the main body of the French, and the Prince encamped about 6 miles from Poitiers. On Monday, September 18th, was fought the great battle of Poitiers.

### HOW KING JOHN WAS TAKEN PRISONER AT THE BATTLE OF POITIERS.

There was much pressing at this time through eagerness to take the King, and those who were nearest to him cried out, “Surrender yourself, or you are a dead man !” In that part of the field was a young knight from St. Omer, who was engaged by a salary in the service of the King of England ; his name was Denys de Morbeque, who for five years had attached himself to the English, on account of having been banished in his younger days from France for a murder committed in an affray at St. Omer.

It fortunately happened for the knight that he was at the time near the King of France. When he was so much pulled about, he, by dint of main force—for he was very strong and robust—pushed through the crowd, and said to the King in good French, “Sire, sire, surrender yourself.” The King, who found himself very disagreeably situated, turning to him, asked, “To whom shall I surrender myself? To whom? Where is my cousin the Prince of Wales? If I could see him, I would speak to him.” “Sire,” replied Sir Denys, “he is not here ; but surrender yourself to me, and I will lead you to him.” “Who are you?” said the King. “Sir, I am Denys de Morbeque, a knight from Artois ; but I serve the King of England, because I cannot belong to France, having forfeited all I possessed there.” The King then gave him his right-hand glove, and said, “I surrender myself to you.” There was much crowding and pushing about, for every one was eager to cry out, “I have taken him, I have taken him.” Neither the King nor his youngest son Philip were able to get forward, and free themselves from the throng. . . . As soon as the two marshals were come back the Prince asked them if they knew anything of the King of France. They replied, “No, sir, not for a certainty ; but we believe he must be either killed or made a prisoner, since he has never quitted his battalion.” The prince then addressing the Earl of Warwick and Lord Cobham, said, “I beg of you to mount your horses and ride over the field, so that on your return you may bring me some certain intelligence of him.” The two barons, immediately mounting their horses, left the Prince and made for a small hillock, that they might look about them. From their stand they perceived a crowd of men-at-arms on foot, who were marching very slowly. The King of France was in the midst of them, and in great danger, for the English and Gascons had taken him from Sir Denys Morbeque and were disputing who should have him, the stoutest bawling out, “It is I that have got him.” “No, no,” replied the others, “we have got him.” The King, to escape from this peril, said, “Gentlemen, gentlemen, I pray you conduct me and my son in a courteous manner to my cousin the Prince ; and do not make such a riot about my capture, for I am so great a lord that I can make all sufficiently rich.” These words and others which fell from the King appeased them a little ; but the disputes were always beginning again, and they did not move a step without rioting. When the two barons saw this troop of people, they descended from the hillock, and striking spurs into their horses, made up to them. On their arrival they asked what was the matter. They answered that it was the King of France, who had been made prisoner, and that upwards of ten knights and squires challenged him at the same time as belonging to each of them. The two barons then pushed through the crowd by main force and ordered all to draw aside. They commanded, in the name of the Prince and under pain of instant death, that every one should keep his distance, and not approach unless ordered or desired to do so. They all retreated behind the King ; and the two barons, dismounting, advanced to the King with profound reverences, and conducted him in a peaceable manner to the Prince of Wales. (From the French of Froissart.)

Among those who claimed to have captured King John were two Sussex gentlemen—John Pelham, Esq. and Sir Roger La Warr—and the circumstance is interesting as showing that the East Sussex contingent of the army was



## “The De la Warre Crampet”

probably concerned largely in the principal issue of the battle. The actual merits of these claims it is now utterly impossible to discuss, but we find that within a short distance of that time down to the present day, the Pelham family have assumed<sup>1</sup> the badge of a *buckle*, now known as the “Pelham buckle,” believed to be an allusion to the seizure of the King by his belt at his capture. The De la Warr family have in like manner assumed the badge of a *chape* or *crampet*, being the ornamental termination of a sword-scabbard, in supposed allusion to the surrender of the King’s sword. There is a tradition that a sword, purporting to have been the French King’s, had for a long while been preserved as an heirloom of an elder branch of the Warre family.

The “Pelham buckle” has been largely used as an ornament in architectural enrichments, and numerous examples may be found figured in Sussex archæological papers. Among the Pelham deeds the badge of the buckle is frequently to be found on the seals; but it has not yet been discovered in any carved work at the Castle of Hastings.

The De la Warr badge is not found so often, and owing to its varying and less distinctive shape may have been frequently overlooked. It is sometimes to be found having the text-letter *r* charged upon it, presumably the initial of the Christian name (Roger) of its first bearer.

At this time England had two royal prisoners in custody, namely the King of France and David Bruce of Scotland, the latter of whom was released in 1357.<sup>2</sup>

While in France dire confusion reigned, in England the royal prisoners were treated with chivalrous courtesy. They were lodged in the Savoy Palace (formerly built by Peter of Savoy), and frequently shared in the hawking parties, jousts, and other amusements of the English Court.

On July 6th, 1358, an order was issued to the King’s Treasurer to supply to John de Montfort, Duke of Brittany, the King’s ward, the sum of 20 marks from the Treasury, for his expenses in coming, by the King’s summons, to a council “to be holden shortly at Westminster.” He was thus brought into the giddy whirl of splendour and luxury of the English Court of that period.

On March 8th, 1359, a similar order was addressed to the Treasurer to supply the Duke with the sum of £13 18s. 11d. for his armour and panoply, as well as the expenses incurred by him and his household in connexion with the tournament held at Smithfield on the 4th of that month.<sup>3</sup>

The wedding of John of Gaunt, Earl of Richmond (and lord of the Rape of Hastings) took place on June 14th, 1359. He married Blanche, daughter and

<sup>1</sup> Presumably with due authority. John Pelham was knighted after the battle.

<sup>2</sup> The Dowager Queen Isabella, the King’s mother, died on August 22nd, 1357, at Risings (Castle Rising) after about thirty years’ imprisonment.

<sup>3</sup> Knighton (Canon of Leicester) says: “In those days there arose a great scandal and clamour among the people, that wherever there was a tournament, there came a great concourse of ladies, of the most costly and beautiful, but not of the best of the kingdom, sometimes forty or fifty in number, as if they were a part of the tournament, in divers and wonderful male apparel, in divided tunics, one part of one colour and one of another, with short caps and bands in the manner of cords wound round the head, and zones well bound about with gold and silver, and within pouches across their bodies knives called daggers; and thus they proceeded on chosen coursers or other well groomed horses to the place of tournament, and so expended and devastated their estate, and vexed their bodies with scurrilous wantonness that the rumour of the people sounded everywhere; and thus they neither feared God, nor blushed at the chaste voice of the people.”

## National Defence, 1359

co-heiress of Henry, Duke of Lancaster, great grandson of Henry III. He afterwards thus became head of the House of Lancaster.

Conditions of peace with France and the ransom for King John were suggested early in 1359, but that King's son and his nobles deemed the terms too hard. Accordingly Edward again invaded France, setting sail from Sandwich on October 28th, 1359. He left his youngest son, Thomas of Woodstock, in charge of the kingdom. Precautions for the protection of England were not neglected, but owing to the ravages of the plague, much difficulty was found in mustering a sufficient force for defence. On October 3rd, 1359, the chief men of the various shires were again commanded to array all males between the ages of sixteen and sixty years. These were to be summoned by beacon-fires; but were not required to leave their own hundreds except in the case of invasion. The foot-soldiers were to be mustered by hundreds and twenties, but the knights were to be called to arms by the constables, whose companies usually numbered 100 men. All were enjoined to practise the use of weapons of offence.

Such as had property above the annual value of £15 were to be armed according to their station. Those having land worth £15 per annum, and cattle of the value of 16 marks per annum, were required to supply themselves with an haubergeon (a small shirt of mail), an iron helmet, sword, dagger, and a horse. Those who owned land of the value of 20 marks a year were to be armed similarly, but to fight on foot. Those holding land worth 100s. per annum were to have a pourpoint or gambeson (a quilted coat), an iron helmet, sword, and dagger. Those having land worth 80s. and under 100s. per annum were to carry a sword, dagger, bows and arrows. Those of lesser fortune than the preceding were to be armed with a spear, hand-axe, a dagger, and other small arms; excepting those who had cattle of less value than 40 marks, who were to carry a sword, dagger, and other small arms. All others were to carry bows and arrows. And if any man was suffering from infirmity it was ordered that he should find arms for those who did not possess them (*Fæd.* iii. p. 449; see also Hewitt's *Ancient Armour*, i. p. 215).

On March 2nd, 1360, an order was issued that the armed men were to repair to the coast, and that the ships should be drawn up as far as possible from the sea to prevent their capture; to such straits was the armament of the country reduced! In March, 1360, some French marauders landed at Winchelsea. While the people were at Mass, they broke into the church and committed horrible atrocities, set the town on fire, and ravaged the neighbourhood; but they were finally driven off with considerable loss (Knighton, col. 2622) by the militia gathered together under the before-mentioned order.

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*Patent Roll*, 34 Edward III. p. 1, m. 24, dorso of 1359. The King to the Abbot of Battle, the Abbot of Robertsbridge, Robert de Belknapp, John Cressy, Robert, son of John de Ore, Walter Prynkle, Hamon atte Gate, and Robert Cralle, Greeting. Because our enemies of France have

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Ernald de Duroforti, knight. Signification that Clement VI. gave to Bernard de Brocariis, M.A., a canonry of Wells to retain St. Nicholas, Guildford; but as by the Pope's death Bernard got nothing, he prays for a like provision, notwithstanding that Bernard holds the said church and canonries and prebends of Wells, Chichester, and Hastings, and expects a benefice in the gift of the Bishop of Carlisle. (*Papal Registers Petitions*, Kal. July, 1357, 5 Innocent VI. Granted at Villeneuve by Avignon.)



## The Rape Released by the Duke of Brittany

gathered upon the sea with a great fleet of ships with a great multitude of armed men to invade our kingdom of England : We wishing to provide for the safety and defence of our said kingdom against our said enemies, assign you to keep watch at all the ports and seashores and in all the maritime land in the Rape of Hastings in County Sussex, and to arm all the men with competent arms, and to lead the men so armed to vanquish our said enemies, and to take victuals to certain places near the sea and to sell them to the men going thither for a reasonable price, and to arrest all those who oppose you in the execution of the premises and put them into prison.

And we command the sheriffs, knights, bailiffs, ministers and all others of the said rape to assist you in executing the premises.

Witness the Keeper (the Custos [of the realm] Thomas of Woodstock), at Westminster, March 26th, 1360.

After this descent the northern fleet was ordered to combine with the western, the castle of Pevensey was provided with a garrison and other defences were prepared, seemingly with good effect, for further depredations appear to have ceased.

In the year 1360 John de Montfort, *soi-disant* Duke of Brittany, released and quitted claim of all his rights, title, etc., to the earldom of Richmond in favour of John of Gaunt in the following words—

RELEASE OF THE HONOUR OF RICHMOND (INCLUDING THE RAPE OF HASTINGS) TO JOHN OF GAUNT AND EDWARD III. BY JOHN DE MONTFORT, DUKE OF BRITANNY.

(From the original in the office of the Duchy of Lancaster.)

1360, January 19th, 34 Edward III.

To all who shall see these letters, John de Montfort, Duke of Brittany and Earl de Montfort, Greeting, in our Lord. Since our most Excellent Prince and Lord, our Lord Edward, by the grace of God, King of England, Lord of Ireland and of Aquitaine, lately by a charter gave and granted to the most noble Lord, Lord John of Gaunt, his very dear son, the Earldom of Richmond and the honour, castles, manors, lands, and tenements and all other places to the said earldom appertaining, to be had and held by the same John of Gaunt and the heirs of his body proceeding, together with all its appurtenances, as fully and completely as the aforementioned late Earl of Richmond held them while he lived, for all time. Provided always that if the said John of Gaunt should die without any heir of his body proceeding, then on the death of the said John of Gaunt, the earldom, honour, castles, etc., shall revert in full to our said Lord the King and his heirs, as in the abovementioned charter is more fully contained.

KNOW YE that we have remitted, released, and for ourselves and on behalf of us and our heirs for ever have yielded to the aforesaid Lord, John of Gaunt, etc., and to the heirs of his body : and moreover, if failing issue of the aforesaid Earl of Richmond the earldom, honour, castles, etc., should pass to our said Lord the King and his heirs, all right and claim to the whole or part which we may have had, which we have or for the future shall have in any way to the said earldom, honour, castles, etc., and all other premises wheresoever in the kingdom of England they may be ; and moreover, all actions of all sorts, as well real as personal or mixed, which with reference to the same earldom, honour, castles, etc., we have had in the same, or have, or may by any means have for the future. Provided always that neither we the aforesaid Duke of Brittany and Earl of Montfort, nor our heirs, nor any one else in our name, shall be able to exact, or vindicate, or claim any right or any action real or personal or mixed against the said John Earl of Richmond or the heirs of his body proceeding, or against our said Lord the King

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*Order for a Visitation of the Chapel.* 35 Edward III., *Pat. Rolls*, p. i. m. 5 d.

The order is addressed to John de Branketre, Treasurer of the Church of the Blessed Peter of York, Master John Wormenhale, Master John Blanchard, Master John Beautre, and Master John de Norton. The defects in the Chapel recited in this writ are almost word for word the same as mentioned in the Commission for Visitation in 1345 (see page, *ante* 194). It concludes with the usual command for attendance of the Dean, Canons, the Bailiff of Hastings and his jury.

A duplicate of the above Commission is enrolled on *Pat. Roll*, 35 Edward III., p. ii. m. 27 d., but it is addressed to John de Branketre, *John de Scarle*, and *William de Hatton*. Both Commissions are dated the 8th day of May, 1361.

## John of Gaunt Created Duke of Lancaster

and his heirs in any way, but are excluded therefrom by these presents for ever. And we the aforesaid John, Duke of Brittany and Earl of Montfort, and our heirs and successors will warrant and defend against all persons all the aforesaid earldom, and honour, castles, etc., wheresoever in the said kingdom of England they may be, for the said Lord John, Earl of Richmond, and the heirs of his body, as well as for our said Lord the King and his heirs for ever.

In witness whereof we have set our seals to these presents, Witness the venerable Fathers Simon Archbishop of Canterbury, Primate of all England ; John Archbishop of York, primate of England ; William of Winchester, Thomas of Durham, Michael of London, Robert of Salisbury, Bishops ; Edward Prince of Wales, Duke of Cornwall, and Earl of Chester ; Henry, Duke of Lancaster ; Richard Earl of Arundel, Thomas Earl of Warwick and Marshal of England, Walter de Mans, Reginald de Cobham, Guy de Bryan, and others.

Given at our Palace of Westminster on the nineteenth day of January, in the year of our Lord one thousand three hundred and sixty, and the thirty-fourth of the reign of our said Lord the King of England.

Be it noted that the aforesaid Duke of Brittany came to the King's Chancery at Westminster on the twentieth day of February current, and acknowledged the aforesaid document and all the contents of the same.

Edward concluded a solemn treaty of peace with the Regent of France on May 8th, 1360, at Bretigny, whereby he withdrew his claim to the French Crown, and both parties gave up their pretensions to the homage of Brittany. John de Montfort was to be reinstated in his lands outside the duchy, and the rival claims of the parties as to Brittany were to be settled by the two Kings at a meeting to be holden within four months at Calais. A sum of 3,000,000 crowns of gold was fixed for King John's ransom. Edward landed at Rye on the evening of May 18th, and rode off to Westminster without pausing to take rest, arriving thither at nine next morning. Immediately on his arrival he set King John at liberty. The settlement of the Brittany disputes was, however, still left in abeyance, and it was further arranged that each King should do his best to effect a settlement between the parties, failing which any person might side with one or the other claimant without a breach of treaty ; but it was agreed that the homage should belong to the French King. Edward now returned to the alien priories the property which he had seized twenty-three years before.

In 1361 the plague a second time broke out, but scarcely in so virulent a form. One of the victims was Henry, Duke of Lancaster, whose daughter had married John of Gaunt, and who was afterwards mother of Henry IV.

John de Montfort, son of John de Montfort, *soi-disant* Duke of Brittany,

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A.D. 1361. *Papal Register*, 3 Id. December, 9 Innocent VI.

Queen Philippa, on behalf of her confessor Master William de Polmorva, S.T.P., for a canonry of Lincoln, with expectation of a prebend, notwithstanding that he has the Archdeaconry of Middlesex and canonries and prebends of Hastings, St. Carentoce, and Windsor. (Granted Avignon.)

*Papal Petition*. 9 Innocent VI., 1361.

Edward King of England. On behalf of John de Codington, rector of Bottesford, for a canonry of Chichester, with expectation of a prebend, notwithstanding that he has the deanery of Hastings. (Granted Avignon, 13 Kal. February.)

*Papal Petition*.

The King. To John de Codington, a canonry of Wells, with expectation of a prebend, notwithstanding that he is Dean of the Chapel Royal of Hastings, and church of Bottesford. (Granted Avignon, 7 Kal. July.)

1362. This year it was declared that all pleadings in law should be conducted in English instead of French, but this decree had little or no effect.



## William of Wykeham a Canon of Hastings

married his first wife in the summer of 1361 at Woodstock. She was the Lady Mary Plantagenet, fourth daughter of Edward III. by Philippa, daughter of the Count of Hainault. Born October 10th, 1344, at Waltham, near Winchester, she died (thirty weeks after her marriage) in 1362, and was buried in the church of Abingdon.

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### *Of the Presentation to a Prebend.*

William of Wykeham, clerk, has letters [patent] from the King of presentation to that prebend in the Free Chapel of the King of Hastinges, which Adam of Hertyngdone late had in the same, vacant and to the King's gift belonging, and letters are directed to W., Bishop of Chichester.

Tested by the King at Westminster, 17th day of February, 1363.

For a discussion on the identification of this prebend see "Brightling Prebend," in the appendix, *post*.

### *Patent Roll, 37 Edward III., Part i. m. 35.*

The King had lately presented a petition to Pope Innocent VI. by the hand of his envoy, G. de Bruan, on behalf of the clerk of his chamber, William of Wykeham—that he might hold two benefices with cure of souls,\* one of them being in a cathedral church, *with leave to exchange them for others*,\* notwithstanding that he has the canonries and prebends of Salisbury, Lincoln, Shaftesbury, and Auckland.

The Pope adds a note that this petition was "denied by us, but as the King has it so much at heart the matter is committed to the Cardinal of Cluny, who, if the person's fitness justify it, may dispense him as prayed." The Pope has added the marginal notes to where asterisks are affixed as above, viz. "Provided that both have not cure of souls in *foro penitentiali*."

Given at Avignon 3 Id. December, 9 Innocent VI.

June 24th, 1362. William Lord de Latymer was ordered to deliver to the Duke of Brittany the towns and castles which he holds in Brittany (at Westminster: *Fæd.* iii. 658). Similar orders to the King's officers in Brittany, and acquittance for all sums received from the King for the maintenance of the Duke of Brittany. See other orders of July 7th and 8th, 1362, in the *Fædera*.

### *1362. June 22.*

The King to our very dear son John of Brittany, etc.

During your minority we have guarded, governed, and maintained all your possessions in Brittany and elsewhere outside England. Now considering that you are of age and able in mind and body to govern yourself, we restore, deliver and give up to you entirely all the towns, castles, fortresses, etc., held, occupied, or acquired by us or our commissaries in Brittany or anywhere else outside England. We reserve or retain nothing in them for ourselves or our heirs, giving and granting you from this time forth full possession.

We revoke and recall all donations and alienations, made by us, to your prejudice to whomsoever made, and under whatever form. We promise to use all due diligence to enable you to recover full possession of your towns, castles, etc.

Given under the Great Seal at Westminster. (*Fæd.* iii. 658.) (*French.*)

### *1363. Papal Register, 1 Urban V. 2 Kal. June. (Petition.)*

Arnald de Brocasiis, S.C.L., rector of Whippingham.

For a canonry of Wherwell with expectations of a prebend, notwithstanding that he has also the canonry and prebend of Stone, in Hastings, of so small a value that it is not taxed. He is ready to resign the church. (Granted, Avignon.)

Petition by Mary de *Sancto Paulo* (St. Pol), Countess of Pembroke. On behalf of John Guiffard, for a canonry of Hastings, with expectations of a prebend. 2 Urban V. 1364. (Granted Avignon, 8 Kal. June.) Canonry of Hastings.

### *1364 (f. 190). 8 Kal. June. (Petition.)*

Mary de Sancto Paulo, Countess of Pembroke, foundress of the house of Minoreesses of Denney, in the diocese of Ely. Petition for leave to enter the said house and other houses of enclosed nuns with four honest women, and therein eat and sleep. (Granted—if she and her other companions are aged sixty—at Avignon.)

The same on behalf of John Guiffard for a canonry of Hastings, with expectation of a prebend. (Granted, dated as above.)

## Papal Disputes

In 1362 John of Gaunt was created Duke of Lancaster.<sup>1</sup>

The efforts at reconciliation between the claimants for Brittany resulted in a treaty between the parties on July 12th, 1363, by which a partition of the duchy was agreed. This treaty appears to have been broken in the following year by Charles of Blois, who, it is said, was overpersuaded in this matter by his wife, Jeanne de Penthievre. Thereupon John de Montfort laid siege to Auray, and both English and French lent aid to the respective claimants. The battle of Auray took place on September 29th, 1364, Charles of Blois was killed (*Annals of St. Paul's*), and his troops were routed. John de Montfort seems to have been acknowledged without further trouble, for in the same year (November 3rd) the King of France granted to him a respite of his homage, and on April 11th, 1365 (at Guérande), a treaty was signed between John de Montfort and Jeanne de Penthievre whereby John retained the duchy of Brittany and Jeanne the county of Penthievre (*Froissart*).

In 1366, at Nantes, John de Montfort, now Duke of Brittany, married Joan, daughter of Joan ("the Fair Maid of Kent," daughter and heiress of Edmund [of Woodstock] Plantagenet, Earl of Kent, sixth and youngest son of Edward I.), by her first husband, Sir Thomas Holland, the Fair Maid of Kent now being the wife of Edward the Black Prince,<sup>2</sup> her third husband.

King John of France, having returned to England owing, it is said, to the Treaty of Bretigny not having been observed, and probably finding himself safer there from his own subjects, died "in captivity" at the Savoy Palace on April 8th, 1364, and the Duke of Brittany did homage to Charles V the Wise, King of France, in December, 1365. In that year there had been further disputes with respect to the "provisions" granted by the Pope, regardless of the presentation being properly in the King's or in lay hands, as also concerning the practice of appealing to the Papal Court on the part of provisors so nominated when they found their appointment contested. The Act 38 Edward III. statute 2, dealt with these matters, former statutes being confirmed, and the offenders were declared, after warning, to be "put out of the King's protection." To this Act the English prelates gave a guarded consent (*Rot. Parl.*, vii. p. 285). The Pope, in retaliation, claimed the arrears of 1,000 marks agreed to be paid by King John on his receiving England from the Pope's hands as a fief, but the Parliament rightly advised the King that what John had done was *ultra vires*, being contrary to the constitutions of the realm and a violation of his coronation oath. During the next few years the Prince of Wales was engaged in assisting Peter the Cruel against Henry of Trastamare—a campaign which closed with the Prince's celebrated victory at Navarette (April 3rd, 1367). During the absence of the Black Prince, John of Gaunt became the chief counsellor of his father; but although clever and not devoid of estimable qualities, he was deemed haughty and was consequently unpopular. In 1369 Charles V. ("the Wise") of France declared war in a particularly insulting manner, sending a "varlet" of his household with the letter containing the declaration of war.<sup>3</sup>

<sup>1</sup> Only two dukedoms had so far been created, namely, that of the Black Prince as Duke of Cornwall, in 1336, and that of Henry of Lancaster, as Duke of Lancaster, in 1351. The title was yet new in England.

<sup>2</sup> Joan of Brittany was therefore uterine sister to Richard II. of England.

<sup>3</sup> This may have originated in Edward's incivility (see *Fæd.* iii. p. ii. 864).



## John of Gaunt Grants the Rape to Edward III., 1372

The French seized Ponthieu at once, while the Duke of Brittany gave leave for the English to land in his ports. During the summer the French King mustered his troops, and made ready a fleet at Harfleur. Edward, on the other hand, called a naval council of shipping folk (two persons from each port) to meet him on November 18th, and advise him concerning the defence of the country.

Beyond the burning of Portsmouth, the French fleet did no great damage, while the English, under John of Gaunt, began another invasion from Calais. The war was attended with no signal success or brilliant victory on either side. The Black Prince was now attacked with dire disease, believed to have been accelerated by the hardships of his Spanish campaign, and he returned to England in the beginning of the year 1371, leaving John of Gaunt in his place, as commander in Gascony.

In 1371 the Peers and Commons petitioned the King against the holding of high secular offices by the clergy. John of Gaunt, an enemy of the chancellor William of Wykeham, was foremost among the leaders, and Wycklife, who enjoyed Lancaster's patronage, hotly denounced the system then in vogue of placing the high offices of state in clerical hands. He maintained that "neither prelates, doctors, priests, nor deacons should hold secular offices." Aiming a blow, partly levelled at Wykeham, he deplored that "benefices instead of being bestowed on poor clerks, are heaped on a kitchen clerk, or one wise in building castles or worldly business." The King acquiesced in the principle of the parliamentary petition, and on March 14th, 1371, William of Wykeham delivered up the Great Seal, the Chancellorship being conferred on Sir Robert de Thorp, while Bishop Brantingham resigned the office of Treasurer to Richard le Scrope. Owing to the uneducated state of the general mass of the laity, the principle thus established could not then be adopted with complete success.

In 1371 both the English and the French Kings courted the alliance of the Duke of Brittany. In this rivalry Edward proved successful, and on February 21st, 1372, the Duke wrote that he would hold by the alliance with England, "promising in good faith of arms and gentleness, and on the word of a duke, to maintain all this" (*Fœd.* iii. 935). During the early part of this year negotiations were taking place respecting a more permanent treaty between the English King and the Duke. Among the lands which Edward stipulated to give up were the old estates of Richmond, which had for so many years been held by the Dukes of Brittany.<sup>1</sup>

This earldom, as we have seen, now included in its general terms the Rape of Hastings. As a preliminary to the restoration John of Gaunt delivered up the Earldom of Richmond to Edward, in exchange for other lands, by the following deed:—

RELEASE OF THE EARLDOM, ETC., OF RICHMOND (INCLUDING THE RAPE OF HASTINGS) BY  
JOHN OF GAUNT TO KING EDWARD III. [1372.] 46 EDWARD III.

By deed indented, made between the King and the said John of Gaunt, therein styled King of Castile and Leon, and sealed with their respective seals, after reciting the elevation of the said John of Gaunt to the said earldom of Richmond, and the grant to him of the honour, castles, manors, etc., of the same as before mentioned, it is witnessed, that the said John of Gaunt, for

<sup>1</sup> February 25th, 1372. The Duke of Brittany empowered Thomas de Melburn to accept in his name the earldom of Richmond and the marches between Brittany and Poitou, and generally to treat with the King of England. And on June 1st John, Lord Neville, was instructed and empowered as to the treaty on behalf of the King.

## Grant of the Rape to John (V), Duke of Brittany

certain considerations him thereto moving, did of his pure and spontaneous will, grant and release unto the said King his father,—

The said earldom, honour, castles, manors, lands, tenements, and places aforesaid. Also the knights' fees to the same earldom, honour, castles, manors, lands, tenements, and places aforesaid belonging; advowsons belonging to the same, as also the members, hamlets, fields, feedings, pastures, fisheries, moors, marshes, turbaries, chaces, parks, woods, warrens, hundreds, wapentakes, fairs, markets, and liberties, free customs, escheats, and all other to the said earldom, honour, etc. aforesaid whatsoever and wheresoever belonging or appertaining.

In acknowledgment whereof, for the better support of his state, and by way of retribution and compensation, the said King of England grants unto him—the said John of Gaunt—the castle, honour, and manor of Tickhull, the castle and manor of Alto Pecco (High Peak), with the knights' fees to the said castles, honours, and manors belonging, all the fees which the said King of England had of the gift and grant of Sir Robert Lisle (the extinct fees in the said King's hands excepted); also the advowsons of the churches of *Steyndrop* (Staindrop) and *Branspath* (Brancepeth) in the Bishopric of Durham, the free chapels of Tickhull and De Alto Pecco (High Peak), together with the church of Marsfeld, the free chapel of the same, the free chapel within the castle of Pevensey, the priory of Wilmyndon (a cell to the abbey of St. Mary of Grestein in Normandy), the priory of Withiam (a cell of the abbey of St. Martin de Meremest of Touraine), and the house of St. Thomas of Knaresborough; the castle, manor, and honour of Knaresborough, with the appurtenances; and the hundreds or wapentakes of Stayncliff, with the appurtenances in the county of York; the manors of Grynglay and Whetelay, with the appurtenances in the county of Nottingham; the manors of Wighton, Aylesham, Fakenham, and Snetesham; also the hundreds of North Grenehowe, North Erpingham, South Erpingham, and Smethedon, with the appurtenances in the counties of Norfolk and Suffolk; the manors of Glatton and Holme, with the appurtenances in the county of Huntingdon; the manor of Saham, with the appurtenances in the county of Cambridge; the castle and lieutenancy of Pevensey, and the manors of Wylindon and Marsfeld; also the bailiffships of Endelenewyk, with the appurtenances in the county of Sussex; the free chace of Alto Pecco (High Peak) (which the King held as Ranger); the free chace of Ashedon, with the rights and liberties, free chaces, and appurtenances; also the annual farm of two hundred marks, payable from the Abbot and Convent of the Blessed Mary of York to the said King and his heirs for the manor of Whitgift, etc., to hold to the said John of Gaunt and the heirs of his body issuing, etc. (Dated June 25th [1372].)

On July 19th, 1372, a treaty of alliance offensive and defensive was made between Edward and the Duke of Brittany. And on the following day Richard de Ravenser, Archdeacon of Lincoln, was appointed attorney for the Duke of Brittany in the earldom of Richmond, and the following grant of that earldom was made by the King to the Duke.

### ABSTRACT OF THE GRANT 46 EDWARD III. (1372), OF THE EARLDOM OF RICHMOND (INCLUDING THE RAPE OF HASTINGS) TO JOHN DUKE OF BRITANNY.

John Duke of Brittany and Earl of Montfort having rendered important services to the King of England in his wars, and having his earldom of Montfort seized by the King of France on that account—the said King of England granted to the said Duke of Brittany and Joan his wife, and the heirs of his body, the said castle, town, and honour of Richmond, etc., by the description of,—

The earldom, castle, town, and honour of Richmond, also all other castles, manors, lands and tenements whatsoever and wheresoever being and pertaining to the said earldom—to have and to hold to them, the said Duke and Joan, and the heirs issuing of the said Duke for ever; together with the liberties and prerogatives of all kinds, as well as other royalties which John late Duke of Brittany and Earl of Richmond had, in the earldom, honour, castles, manors, lands, tenements, and places aforesaid; as also the knights' fees, advowsons of churches, abbeys, monasteries,

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On July 14th, 1372, John, Duke of Lancaster, empowered Sir John de Stafford and others to deliver the appurtenances of the earldom of Richmond to the King his father. (At the Savoy: *Foed.* iii. p. ii. 952).

[Seisin of the earldom accordingly (*Rot. Parl.*, 46 Edward III. p. 2, m. 3).]



## Protests Against the Ecclesiastics

priorities, hospitals, chapels, and other houses religious and secular, as well as with the members, hamlets, fields, feedings, pastures, fisheries, waters, springs, moors, marshes, turbaries, chaces, parks, woods, warrens, hundreds, fairs, markets, free customs, wards, marriages, and escheats, to the said earldom, honour, castles, manors, lands, tenements and places aforesaid with their appurtenances whatsoever and wheresoever belonging or pertaining ; altogether as fully and entirely as John, late Duke of Brittany and Earl of Richmond, had and held the said earldom, honour, castles, etc., of us and our heirs, by homage, allegiance, and all other services by which the said John, late Duke of Brittany, held the earldom, honour, castles, etc., conditionally, that if the said Duke should die without heirs of his body issuing, then that after the decease of them the said Duke and Joan, the earldom aforesaid, together with the honour, castles, etc., with their appurtenances, as also the said fees, advowsons, and all other things, shall entirely revert to us and our heirs, etc.

Assurance of warranty against all other claimants by the King and his heirs, and engagement to indemnify the said Duke, etc., for any part or parcel which may have been subtracted or missing from the said earldom, honour, etc. (July 20th, 1372.)

On July 20th the King desired the inhabitants of the earldom of Richmond to obey the officers of the Duke of Brittany.<sup>1</sup>

In this year John of Gaunt married Constance of Castile, in right of which he claimed to be King of Castile (*Walsingham*, p. 313). This hurried the French king into an alliance with the then reigning King of Castile. In 1372 the tide of England's glory in France had fully turned. The Black Prince was suffering from an illness which proved fatal ; Sir Walter de Maunay, one of the greatest warriors of his age, died ; while the King, sinking into a premature dotage, allowed himself to be swayed by his faithless mistress, Alice Perrers. So English prospects in France darkened day by day, and even the Duke of Brittany dared not openly support Edward, for fear of the resentment of his own subjects. Parliament uttered loud complaints as to the state of the Navy (October 13th, 1372), and the Commons, moreover, petitioned against the immorality of the English clergy and the seeming callousness of the ordinaries as follows :—

“Also supplicate the Commons to the advantage of our Lord the King and of all the kingdom, that, Whereas the beneficed gentry of the Holy Church and curates, keep their concubines openly, by which they are deprivable and are deprived by the law of the Holy Church ; if their Ordinaries do not make due execution within one year after the said time the church may be held void by the law of the land, and that he who is patron may present,” etc.

In 1373 the King fitted out a fleet and captured eight large Spanish vessels which lay unprotected in St. Malo harbour. Suspecting that the Duke of Brittany had informed Edward of the whereabouts of the ships, Charles ordered the Constable Du Guesclin to invade Brittany. The Duke fled to England for help, and returned later on to Calais, with a force under John of Gaunt's command ; but the expedition became a mere marauding foray, the French being instructed to avoid battle. John of Gaunt returned in 1374 from his politically fruitless raid, abandoning Aquitaine to the French.

<sup>1</sup> *Seisin* (p. 2, m. 33, 46 Edward III.). The prologue of the request is as follows :—

July 20th, 1372. “The King to the Archbishop, etc., and inhabitants of the earldom of Richmond, etc. Seeing that of the prerogative of special affection which we have conceived and entertain towards our very dear son and relation by marriage John of Brittany, and especially that he himself and the heirs of his body and their children and subjects, present and future, may faithfully and perpetually hold and maintain the alliances, agreements and compacts which have lately been made between him and us, for ourselves and our heirs and their children and our subjects.” “We have given and granted the earldom of Richmond,” etc. (then follows the request). (At Westminster.)

## Fall of William of Wykeham

On November 23rd, 1373, Parliament again aired its grievances regarding the alleged continual usurpation of the Pope in the matter of ecclesiastical benefices, notwithstanding the previous action of the King. Edward was also petitioned by the Commons to put down the alien priories on the coast, which, the petitioners said, served as nurseries of spies for France. The Duke of Brittany was engaged in revictualling some of his castles in the duchy; and finding Becherel besieged, he applied for relief to Edward, but this relief, through an extraordinary series of misadventures, was delayed until too late.

In 1375 the Duke of Brittany, now captain-general for the English in France, besieged St. Brieuc, but raised the siege to go to the help of Sir John Devereux at a new castle near Quimperlé. Devereux's besiegers fled to Quimperlé, where the Duke in turn laid siege to them. Here he received orders to raise the siege, as a truce had been concluded between England and France. It was a great disappointment to the Duke, and Froissart draws a lively picture of his anger. The messenger found him playing chess in his tent with the Earl of Cambridge, and the order to withdraw put him in a great fury :—

"He rolled his head and cried out, 'Cursed be the hour when I granted a truce to my enemies.'" (*Froissart*.)

The English then departed, the Duke joining his wife at Auray. On April 8th, 1376, the Black Prince died, in his forty-sixth year, at the Palace of Westminster, leaving as his executors two mutual enemies, John of Gaunt and William of Wykeham, a very curious though perhaps politic combination. On Wednesday, June 26th, by the request of the Commons, Richard, the youthful son of the Black Prince, was solemnly introduced to Parliament as Heir Apparent to the Throne of England.

The Commons made another passionate appeal against the alleged usurpation of the Pope (*Rot. Parl.*, 53 Edward III.), and the petition as to the dismissal of the alien priors was once more renewed, but without any tangible result.

The events of the last years of the lives of Edward and the Black Prince were in gloomy contrast with the many glorious achievements of the earlier part of the reign. The administration was feckless and corrupt, and the ambition of John of Gaunt overshadowed the succession to the throne. Finding that the Commons were unfavourable to him, John seized the reins of power, overriding in a most unconstitutional manner the will of Parliament, and even imprisoning the Speaker of the House.<sup>1</sup> He proceeded to confiscate the possessions of William of Wykeham, and using Wycliffe as his tool, he began a crusade against the Church, but this in so violent and indiscreet a manner, that he alienated the sympathies of the common folk whose champion Wycliffe really was. In the midst of all these troubles<sup>2</sup> Edward III. died, in the sixty-sixth year of his age, at his palace of Shene, deserted by all, first and foremost by Alice Perrers. With the very rings stripped off his fingers, there lay the poor wreck of the once glorious victor of Cressy, whose name should have been handed down to us for all time among the darlings of English Chivalry.<sup>3</sup>

<sup>1</sup> Said to be the first so-called "Speaker," Peter de la Mare.

<sup>2</sup> Froissart informs us that about this time John, Duke of Brittany, came to England and went to Shene, where the King lay grievously sick.

<sup>3</sup> The old monarch was buried at Westminster Abbey on June 21st, 1377.



# The Town of Hastings Burnt, 1377

## CHAPTER XII

### RICHARD II



RICHARD of Bordeaux, son of the Black Prince, was eleven years of age when he succeeded to the throne. The coronation took place on July 16th, 1377, and at this ceremony John Duke of Brittany was present. The truce having expired, the French, Scots, and Spaniards, who had concluded a triple alliance, proceeded to sweep the Channel with an overwhelming fleet. They ravaged the southern coast of England, burning and looting nearly all the principal seaports between Rye and Plymouth. The French easily captured Rye, then inadequately defended, and sacked the town. Afterwards they attacked the walled town of New Winchelsea, but were repulsed by the brave Abbot Offington of Battle, to whom the defence had been entrusted.<sup>1</sup>

While the attack on Winchelsea was proceeding, the French sent part of their ships to the town of Hastings, which they found almost empty, and they accordingly burnt it. (Thomas Walsingham, *Hist. Anglica*; *Chron. Angliæ*, 1328-1388; *Chron. Monacho Sancti Albani*.) We hear nothing of the Castle during this raid; perhaps the invaders did not venture far, and a delusive appearance of passive strength may have guarded it from any attempt at depredation.<sup>2</sup> England was panicstricken, a further invasion being greatly feared; orders were given to put the towns both on the seacoast and inland in a state of better defence, and a proclamation of array was ordered throughout the realm, August 20th, 1377.

The Duke of Brittany, with whom the French King was greatly enraged, owing to his support of the Earl of Flanders, was now residing peacefully in his honour of Richmond, possessed of little inclination to return to Brittany in its present state without aid from England. His attempts to obtain aid from Richard's Council had met with scant sympathy, and he had already lost to the French most of his principal castles in Brittany. Richard, however, entertained him very handsomely in England, and in the unsettled state of affairs in the autumn of 1377 the Duke agreed to serve the King with 200 men-at-arms and 200 archers in the retinue of Thomas, Earl of Buckingham (*Fæd.*, September 9th, October 10th, 1377).<sup>3</sup>

<sup>1</sup> The Prior of Lewes inflicted considerable loss on the French at Rottingdean about this time, but was himself taken prisoner.

<sup>2</sup> However, the deed of November 3rd, 1377, *post*, would seem to imply that Hastings Castle may still have been in a state of grievous dilapidation.

<sup>3</sup> Anno 1 Richard II. the Duke of Brittany exhibited his Petition to Parliament by the name and title of John, Duke of Bretagne and Earl of Mountfort, praying for the privilege which all his ancestors, Dukes of Bretagne and Earls of Mountfort had theretofore had, "from time immemorial," and which had also been enjoyed by Queen Philippa (wife of Edward III.) at the

# Exemption from the Repair of Ruinous Castles, Etc.

ABSTRACT OF AN INDENTURE BETWEEN THE KING AND HIS UNCLE, JOHN, DUKE OF LANCASTER  
CONCERNING THE EARLDOM OF RICHMOND (INCLUDING THE RAPE OF HASTINGS).

*Pat. Rolls, Richard II. 1377. November 3rd, Westminster.*

I. Reciting (1) that the late King advanced the said John to be Earl of Richmond, and granted to him, in tail, the Earldom, Honour, Castle, manors, lands, etc., thereto pertaining; (2) that he subsequently granted to him the Castle, Manor, and Honour of Tickhill, the castle and manor of High Peak and other lands in exchange for the said Earldom of Richmond, and Honour, Castles, etc., aforesaid by charter dated 25th June, 46 Edward III., under this condition: that if the heirs of the said Duke shall recover by judgment thereupon rightfully given the said Earldom of Richmond, its Honour, Castle, manors, and lands or any parcel thereof, by virtue of the aforesaid gift in tail, and thereof have possession, affirming that recovery, it shall be lawful for the King to re-enter and hold for ever the castles, manors, honours, etc., so given to the Duke in exchange; and if the latter, or any parcel thereof be recovered from the Duke or his heirs, the King shall make due compensation, so, however, that the said Duke or his heirs pray aid of the King, and apply due diligence about the salvation of that which may happen to be sued against them. And if it happens that the former be put out of the hands of the King or his heirs in fee simple or tail, and thereafter shall come by just cause into the hands of the said King or his heirs in fee, both parties may have back on either side, entirely or proportionately, the premises, and restitution thereupon be made, to hold as before (*Fœdera*); and (3) that by charter dated 4th June 51 Edward III., the towns of Grenstede, Seford and Lughton in Morthyng were included in the preceding grant.

II. Declaring that on his special petition to the King in Parliament, alleging (1) that by the late King's grant of the said Earldom of Richmond, its Honour, Castle, etc., to John, now Duke of Brittany, and Joan his wife, in special tail, the premises may easily, and probably will, revert to the King, and so he (the Duke) may be ousted of the castles, manors, etc., held by him in exchange and to be restored to the said Earldom, and that he is *not called upon*, the condition of restitution being taken away, *to repair the said castles*, manors, etc., with their buildings, which at the time of the said exchange were *grievously dilapidated*, as he would be if the condition of restitution stood, and praying (2) that the King would either restore him to his original estate in the said Earldom, or to such an estate in the castle, manors, etc., granted in exchange, as he or his heirs had in the Earldom before the exchange—the King, with the assent of Parliament, and for securing the speedier repair of the castles and manors aforesaid (some of *which are upon the seacoast, and open to hostile attack*) has granted that, even should the said Earldom revert in whole or in part to him or his heirs, he (the Duke) and his heirs are to retain the castles and manors so granted to him in exchange; and that the Duke, appearing in person in Parliament, hath granted that the King and his heirs are in like manner to retain the lands of the Earldom, neither party being bound to make restitution as aforesaid. Witnesses: S. Archbishop of Canterbury, A. Archbishop of York, A. Bishop of St. David's, Chancellor, Thomas Bishop of Exeter, Treasurer, Edmund Earl of Cambridge, Richard Earl of Arundel, William Earl of Salisbury, John de Neville, Roger de Bello Campo, Guy de Bryen, Chamberlain of the Household, Richard Lescrope, Steward of the Household, John Knyvet, Councillor, John de Cavendish, Robert de Bealknap, William de Skipwyth, Roger de Kirketon and Roger de Fulthorpe, Justices. By the King, with the assent of the whole Parliament.

time when she owned the same Earldom, etc., of return of all manner of writs and execution thereof within the same Earldom, of which privilege he had then for some time been deprived. This petition was answered by the King, making him a grant of the object prayed for (*an. regn. sui. 2 Pet. Parl. an. 1 Richard II. et anno 1 Richard II. Carta No. 24*). The next year the King by his mandate commanded that the men and tenants of the Honour of Richmond be held free of tolls, dues, passage-money, and other customary fees, etc.

*Pat. Rolls, Richard II. 1377. September 15th, Westminster.*

Inspeximus and confirmation of a charter indented between Edward III. and John, Duke of Lancaster, dated Westminster, June 25th, 46 Edward III., being a grant by that King to the said Duke of the castle, manor, and honour of Tickhill, the castle and manor of High Peak and other lands, in exchange for the Earldom of Richmond, and the honour, castles, manors, lands and tenements to the said Earldom pertaining. (See *ante*, p. 209.)



## Preparations to Resist Invasion, 1378

The Duke on April 5th, 1378, delivered up the Castle of Brest to Richard, on condition that it should be restored to him at the conclusion of the war with France (*Fæd.* iv. 34).<sup>1</sup> Thomas, Earl of Buckingham, Constable of England, and others were appointed to take possession of that castle and pay the wages of the garrison. In consequence of the delivery to Richard of the Castle of Brest, the Duchy of Brittany was declared forfeit to the French Crown by *arrêt du Parlement De Paris*, December 8th, 1378. About this time, as Froissart informs us, the people in Brittany sent two special messengers to the Duke begging him to return to his duchy. He thereupon consulted the King, who promised to give him aid in the deliverance of the duchy from the French. The Duke then went (January 30th, 1379) to Brittany, informing his subjects of the promised aid.

<sup>1</sup> All through the year 1378 orders to prepare resistance against invasion continued to be sent throughout England. Thus, on July 14th the sheriffs of Sussex and Kent were commanded to array men-at-arms, archers, etc., in their counties to resist invasion by the French. On August 12th the sheriff of Sussex was commanded to summon by proclamation all residents, or those who had lands and possession in the county, to repair instantly with all the males of their families to assist in defending the county from invasion. On August 14th all men-at-arms, hobelars, and bowmen, who owed service for the defence of the realm were commanded to proceed instantly to the Isle of Wight for its protection against the expected invasion of the French.

Orders were issued to fortify numerous towns. Among others, Chichester was to have a ditch dug fifty feet around the city, and the walls and turrets were to be repaired without delay (*Fæd.* anno 1378).

John, Duke of Brittany, was formally summoned to Parliament as Earl of Richmond on September 3rd, 1378.

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1 Richard II., October 24th, 1377. Mandate to Dean and Chapter upon institution by William Bishop of Chichester of Wm. Pakyngton, King's clerk to the prebend lately held by Valentine Atte Forde deceased in the Free Chapel of Hastings to admit him to corporeal possession. Presentation dated October 5th (*Pat. Rolls*, m. 5 : Westminster).

2 Richard II. Presentation of William de Pakyngton to the prebend of Pesemersh (*Pat. Roll*, m. 35, August 23rd, 1378).

Presentation of Henry Davy, June 25th, 1378, to the prebend of Stone in the King's Free Chapel of Hastings, void by the resignation of the King's clerk William de Pakyngton. By P.S. (*Pat. Rolls*, m. 48).

Mandate to Henry Davy for corporeal possession, etc. (September 19th.)

September 19th, 1378. Mandate to induct William Pakyngton to the prebend of Pesemersh.

(There is a similar presentation to Henry Davy, 2 Richard II.) March 13th, 1379, to Pesemersh on resignation of William Pakyngton Davys.

Presentation and mandate March 8th, 1379, to put Thomas de Kyngesbury into possession of the prebend of Stone, void by the said Henry Davy's resignation (*Pat. Roll*, m. 29). By Privy Seal.

3 Richard II., August 1st, 1379. Presentation of the King's clerk Robert de Faryngton to the prebend of Wortelyng Neumefeld and Hoo, void by resignation of John de Rouceby. By P.S. Westminster, m. 33, *Pat. Rolls* (August 16th. Mandate as usual).

September 14th, 1378, Windsor. John de Montfort, Earl of Montfort and Richmond, and Duke of Brittany. Grant to John, Duke of Brittany, and Joan his wife, and the heirs of the body of the said John, in accordance with the treaty of April 5th last, whereby the King engaged to grant to them for delivering into his possession Brest Castle, a castle in England and 700 marks yearly in lands and tenements in England (a treaty to which the lords assembled in the last Parliament have agreed) of the castle and manor of Risyng, co. Norfolk, with the King's purparty in the tholboth of Lenn (tolbooth of Lynn ?) of the yearly value of £110, and other property so long as the Castle of Brest shall remain in the King's possession.

March 21st, 1381, Westminster. Hastings Rape. Inspeximus and confirmation in favour of Sir Thomas de Morewell, knight, of letters patent (in French) of the King's brother-in-law John, Duke of Brittany, Earl of Montfort and Richmond, dated London, July 1st, 47 Edward III., granting to him for life a yearly rent of 100 marks from his Lordship of Hastyngs Rape. By P.S. and fine of 100s.

## Perfidy of John V. Duke of Brittany

Meanwhile the Duke was greatly surprised that the promised aid did not arrive. Consequently, about Whitsuntide, 1380 (Froissart), he sent messengers to Richard to demand the reason, and received the answer that the force had really been despatched, but had been in part wrecked on the coast of Cornwall and in part driven into the Irish Sea. In June, 1380, Buckingham was appointed the King's lieutenant in France, and in July he set sail for Calais, intending to march overland to Brittany to the relief of the Duke. His movements were, however, intolerably slow, and his expedition was thickly beset with perils. While Buckingham was still on the march towards Brittany, the French King, Charles V., died on Sunday, September 16th, 1380 (*Grandes Chroniques de France*).

The death of the French King altered the policy of the Duke of Brittany: he was under great obligations to the English, but he preferred a more lasting and peaceable arrangement with the new King. He accordingly opened up negotiations with Charles VI., temporizing with Buckingham, with whom he continually broke faith. Buckingham at last laid siege to the town of Nantes, but owing to the Duke's faithlessness he was compelled to raise the siege, the Duke in the meantime excusing himself on the score of the disaffection of his subjects. He persuaded Buckingham to spend the winter in Brittany, with a prospect of renewing the war in the summer, and the Duke in the meantime entertained his guest at Vannes with a series of tournaments. On January 15th the Duke concluded a treaty with Charles VI. at Guérande,<sup>1</sup> of which he soon afterwards informed the

<sup>1</sup> He did homage to Charles VI. for the Duchy on September 27th, 1381, at Compiègne.

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February 12th, 1380 (Westminster). The King granted to the barons of Rye £18 a year for two years, towards enclosing their town with a stone wall, the town having been burnt by the King's enemies. *Vide* 1377 (*Fæd.* iv. 76).

### 4 Richard II. (*Pat. Roll, October 20th, 1380: Westminster.*)

An Inspeximus and confirmation was granted of letters patent dated July 25th, 37 Edward III., being an exemplification at the request of Joan Mory of a charter dated Westminster, May 28th, 9 Edward I. (*Charter Roll*, 9 Edward I. No. 50) inspecting and confirming a charter of Vincent the Dean and Chapter of St. Mary's, Hastynges, granting to John, son of Wymark de *Chitelbuth*, the land in *Chitelbriche* [Chitelbirch (in Sedlescombe, Sussex)] which the said Wymark held (for one mark in the hanaper).

4 Richard II. Presentation of Master John de Sudbury to the prebend lately held by Thomas de Sudbury by Privy Seal. *Pat. Rolls*, m. 21, 1380, September 7th. Mandate to Dean, etc., January 8th, 1381 (Westminster).

In 1380, a clerical subsidy was granted to the King and collected by the ecclesiastics themselves. The Chichester returns are very complete and are preserved in the *Carlton Ride MSS.* [W.N. 1357, 1358 (Chichester), F.L.H. 1231. (Lewes.)] The subsidy of 16*d.* on a mark from two parts of the value was exacted from the Deanery of Hastings, which was valued thus—

"Deanery there . . . 100*s.*"  
 "Vicar of Crowhurst . . 30*s.*"

"As a priest (*ut sacerdos*).  
 "Prebend of Malrepast . . 13*s.* 4*d.*"

August 18th, 1381. Shene. William Norton. Presentation of William Norton to the prebend of Stone in the King's Free Chapel of Hastynges, in the diocese of Chichester, lately held by Thomas Kyngesbury.

November 16th, 1381. Westminster. John Stanstede. Mandate to the Dean and Chapter of the King's Free Chapel of Hastings to assign a stall in the choir to John Stanstede, late chaplain of St. Cross by Colchester, in the diocese of London, John Codeford, Doctor of Laws, Vicar-General of William, Bishop of London, having lately admitted him at the presentation of William de Wanton, Knight, patron thereof, to the prebend of *Westhurrok* (West Thurrock), on an exchange of benefices with John Ranf.



## Escheat of the Rape, 1381

English at Vannes. They were greatly enraged with him, and they left there on April 11th. Buckingham, refusing to speak with the Duke, set sail, stubbornly ignoring his explanatory messages and ingenious excuses. The Duke of Brittany's policy, then and thereafter, was entirely selfish. Indeed, it would seem that even before he came into possession of the Duchy, he recked but lightly of the homage due to either of his (would-be) feudal lords. It was in consequence of the taxation levied to meet the heavy cost of this expedition that the rising of the English peasants, known as Wat Tyler's rebellion, took place (April to June, 1381). The enmity of the rabble seems to have been especially directed against John of Gaunt, whose palace at the Savoy they burnt to the ground. He was afterwards appointed one of the justiciaries for holding the inquisitions upon the evils wrought by the insurgents. The burdens of the feudal services are said by Froissart to have been exceptionally heavy in the counties of Sussex, Surrey, Kent, and Bedford.

On May 2nd, 1381, a treaty of marriage was entered into between Richard II. and Anne of Bohemia, sister of the King of the Romans (*Fæd.* iv. 3). She was daughter of the Emperor Charles VI., and granddaughter of John, King of Bohemia, who was slain at Cressy. She earned the name of the Good Queen Anne, as she interceded with the King for the pardon of the rebel peasants. It would seem that the King had resumed possession of the estates of Richmond<sup>1</sup> from the faithless Duke of Brittany, and had endowed Anne with the Honour.<sup>2</sup>

A GRANT OF THE EARLDOM OF RICHMOND (INCLUDING THE RAPE OF HASTINGS) TO JOAN, DUCHESS OF BRITANNY, DURING HER STAY WITHIN THE KINGDOM OF ENGLAND, 1381.

Richard, etc., to All, etc. Know ye that we have entrusted to our beloved and faithful Thomas de Morwele, Knight, and William Windsor, Clerk, Warden of the Church of Wingham, the custody of the whole Earldom of Richmond, together with the castles, etc., taken possession of, or to be taken possession of, etc., as completely as John de Montfort, Duke of Brittany, and Earl of Richmond, husband of our very dear sister, Joan, Duchess of Brittany, ever had and held them, etc., for the use of the said Duchess from the last feast of St. Michael the Archangel, for such time as the said Duchess shall stay within our kingdom of England, etc. Done at Westminster the sixteenth day of November, in the fifth year of the reign of Richard II. (Nantes Charters. Roll unstamped.)

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<sup>1</sup> Anno 2 Richard II. *Claus. m. 2.* The King by his mandate exempts the tenants of the town of Basingbourne ("*que de Honore Richmond existit ut dicitur*"), and which Honour, etc., had been assigned and granted to his dearest consort Anne Queen of England "*in dotem seu dotaliū aut alias ad terminum vite sue*," from the payment of certain customs, namely, murage, pontage, etc.

*Pat. Rolls*, Richard II. 1381. November 12th. Westminster. Grant for life to John Deveros, Knight, of the county of Hereford, of 100 marks yearly from the manor of Frompton in Holland, County Lincoln, which belonged to John, Duke of Brittany, as parcel of the Earldom of Richmond, in lieu of the same sum granted to him by letters patent of the said Duke, dated Thursday before Midsummer, 3 Richard II., and confirmed by letters under the great seal dated November 5th from the manors of Crawhirst (Crowhurst), Buleham (Bevilham), and Burghesse (Burwash), in the rape of Hastings, County Sussex, on his petition suggesting that the lands held by the Duke in England should be taken into the King's hands, on account of his [the Duke's] adherence to the French, and because the King hath granted the said three manors to his sister, the Duchess of Brittany, in aid of her maintenance whilst staying in England. By P.S.

<sup>2</sup> 1381. November 5th. Westminster. Inspeximus and confirmation in favour of John Devorosse, Knight, of the county of Hereford, of letters patent (in French) of John, Duke of Brittany, Earl of Montfort and Richmond, dated London, Thursday before Midsummer. 2 Richard II., being a grant to him for life, of 100 marks yearly rent from his manors of Crawhirst, Buleham (and) Burghesse, in the rape of Hastings, County Sussex. By P.S.

## Revenues of Rape Granted to the Duchess of Brittany

After her marriage with the King on January 14th, 1382, she had for her companion the Duchess of Brittany, the King's uterine sister, whom the King's Council had separated from the Duke, refusing to allow her to return to him, on account of the Duke's breach of faith with the English troops in Brittany. So embittered were they, that they even went so far as to negotiate a bargain with the two sons of the late Charles of Blois (John and Guy, who had been held as hostages for payment of ransom) to free them, and assist them to capture Brittany if they would but do homage to the English Crown. As they both declared, however, that they would rather die than betray their country, they were sent back into captivity, and no more thought was bestowed upon them.<sup>1</sup>

On June 23rd, 1382, the King issued a safe-conduct to all the persons sent by the Duke of Brittany to escort his Duchess to treat with the King. On June 26th the King granted to her for her maintenance certain manors in England (*Fœd.* iv. 149), and on July 13th, 1383, the King wrote to his officers of Southampton, Dartmouth, and Plymouth, ordering them to provide a passage for Joan, Duchess of Brittany. He also granted a safe-conduct to ten ambassadors from the Duke July 12th. On August 3rd he granted to Joan the revenues of the earldom of Richmond, from the time of her last passage into Brittany until the next Michaelmas (1383). (Given at Nottingham.)

About this time there was a great schism in the Church of Rome respecting the occupancy of the Papal See. Richard supported Urban VI. against his rival,

<sup>1</sup> It is clear from the *Patent Rolls* of March 27th, October 21st, and 30th, and November 13th, 1382, that the King was in possession of the Duke of Brittany's earldom in England.

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1382. August 18th. Commission to Richard, Earl of Arundel, Robert de Assheton, and Edward Dalyngrugge to arrest and bring before the King on the octave of Michaelmas Stephen Shareshull of Hastynges, who hath failed under penalty of £100 to appear before the King and Council on the morrow of St. Mary Magdalene, to answer the writ delivered to him by the said Robert touching the King's Free Chapel within Hastynges Castle. (Westminster.)

September 10th, 1382. Presentation of Thomas Forster to the prebend which William Bukbrigg lately had in the King's Free Chapel of Hastings, in the diocese of Chichester. (Westminster.)

1382. October 20th. *Inspeximus* and confirmation in favour of the Abbot and Convent of Robertsbridge of letters patent dated November 1st, 17 Edward III., being a pardon to them for acquiring the advowson of the prebend of Salhurst in the King's Free Chapel of Hastings, and two carucates of land, and the advowsons of the churches of Salhurst, Oymere and Mundefeld, County Sussex, and entering thereon without licence, and a grant to them of the same. For half a mark paid in the hanaper. (Westminster.)

1382. October 25th. Presentation of William de Norton to the prebend of Stone, in the King's Free Chapel of Hastings, in the diocese of Chichester, void by the death of Thomas Kyngesbury. (Westminster.) By P.S.

1382. November 21st. Mandate to the Dean and Chapter of the King's Free Chapel of Hastynges to induct William de Norton, King's clerk, into the prebend of Stone, void by the death of Thomas Kyngesbury to which William, Bishop of Chichester, hath admitted and instituted him. (Westminster.)

1383. January 15th. 6 Richard II. Mandate to the Dean and Chapter of the King's Free Chapel of Hastynges to induct Thomas Forester, King's clerk, into the prebend which William Bukbrigg lately had in the said chapel, to which William, Bishop of Chichester, hath admitted him. (Westminster.)

1383. January 28th. *Patent Rolls* (Richard II.). Grant to John, Lord of Nevill, of 1,000 marks yearly from the customs and subsidy of wools (besides other sums) in other places, namely, £200 in the port of Great Yarmouth, £166 13s. 4d. in the port of Newcastle-upon-Tyne, and £300 from the farm rendered to the King for lands of the earldom of Richmond, until the £7,000 in



## The Duke Divested of His Honours

Clement VII., who was backed up by France. Upwards of thirty bulls were sent to England, and an enormous sum of money was collected in England towards a crusade under the blessing of Urban (*Froissart*). A large army under Spencer, Bishop of Norwich, invaded Flanders to assist the men of Ghent against the Count of Flanders. At first, the Bishop met with great success (June, 1383); but the King of France, with John of Brittany, under whom were 2,000 men, came to the assistance of the Count of Flanders and compelled the English to raise the siege of Ypres and beat a retreat. On September 8th power was given to John of Gaunt to propose to the French King a decision of their dispute, either by single combat or a combat between the kings and their three uncles, or by a general battle.

The Duke of Brittany was one of the ambassadors of France, who went to Picardy to treat with John of Gaunt. His safe-conduct is dated November 4th, 1383. He was present at the settlement of the truce between France and England, which was arranged to last from January 26th, 1384, till October 1st of that year, John Norbury and others being appointed conservators of the truce in Brittany. In July the Duke of Brittany again acted as ambassador of France in Picardy: the truce was extended till May 1st, 1385, but the ambassadors refused to treat further.

In November, 1384, Joan, Duchess of Brittany, died at Nantes, and was buried in the Abbey Church of Notre Dame de Prières, according to the wish expressed in her will, dated September 25th, 1384. On February 27th the King appointed John de Holland, Thomas de Percy, and two others, to collect the moneys due to Joan, the late Duchess of Brittany, for payment of her debts; and John, Duke of Brittany, was formally divested of his honours in England by the Parliament, November, 1384.

In 1384 the King declared his heir presumptive to be Roger Mortimer, Earl of

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which the King is indebted to him be paid; and further grant that he have custodies or marriages falling in the King's hands to complete any portion of the said sum that is in arrear, and at the beginning of every year an assignment of £1,000, and if the farm of Richmond cease a sufficient assignment elsewhere. (Westminster.)

1383. February 5th. Presentation of Richard Speneye, chaplain, to the vicarage of Burghasshe, in the diocese of Chichester, in the King's gift by reason of the Earldom of Richmond being in his hands. (Westminster.)

1383. September 30th. Presentation of Richard Medford to the prebend of Thurrock in the King's Free Chapel of Hastinges, void by the death of John Stanstede. By P.S.

Vacated by surrender because nothing was done. (Westminster.)

1383. October 5th. Dean, Chapter, and Prebends of King's Free Chapel of Hastings. Grant to John Eyr of the deanery of the King's Free Chapel of Hastinges, void by the resignation of John de Hardlestone. (Sheen.)

1383. October 5th. Presentation of the same to the prebend of Bulverhithe in the said chapel, void for the same reason. By Signet Letter. (Sheen.)

1383. October 29th. Mandate to the Dean and Chapter of the King's Free Chapel of Hastinges, to induct Richard de Medeford, King's clerk, or his proctor, into the prebend of Westhurrok, void by the death of John Stanstede, to which Robert, Bishop of London, has admitted him at the presentation of William de Waweton. (Westminster.)

1384. April 1st. Presentation of Robert Asshenden to the prebend in the King's Free Chapel of Hastinges, in the diocese of Chichester, lately held by Simon Clement deceased. By Signet Letter.

1384. May 2nd. Presentation of Nicholas Slake to the prebend in the King's Free Chapel of Hastinges, in the diocese of Chichester, lately held by Robert Asshenden deceased. By Signet Letter. (Clarendon.)

## Grant to Anne, Queen of Richard II

March, notwithstanding the claim put forward by John of Gaunt for his son Henry of Bolingbroke (afterwards Henry IV.). Disappointed in his political schemes at home, John of Gaunt attempted to enforce his supposititious rights as King of Castile: in this endeavour he was aided by Urban against the reigning King, who, on his side, was supported by Clement.<sup>1</sup>

John of Gaunt, after losing the greater part of his army by disease, made a treaty in 1386 stipulating that his daughter Catherine should marry Henry, the son of the King of Spain; from this match sprang a long line of monarchs, rulers of Spain. (The wedding took place in 1388.)<sup>2</sup>

In 1385 and 1386 it was well known that a French fleet was assembling on the coast of Brittany, and at one time it had been feared that John Duke of Brittany might join the expedition. Circumstances, however, arose which altered the condition of affairs. The officer in charge of this expedition was Olivier de Clisson,

<sup>1</sup> The King of France had commanded John, Duke of Brittany, to lay siege to the Castle of Brest, which was still in the hands of the English; but the Duke seems already to have begun to waver in his allegiance to the French King, and on February 26th, 1386, he was in treaty with the English King concerning the castle of Brest and the earldom of Richmond. The Duke therefore declined to lay siege to the castle of Brest, whereupon the French King did so; but the siege was raised by John of Gaunt, who chanced to stop there on his way out to Spain.

<sup>2</sup> On September 11th the Duke of Brittany married his third wife at Soille, near Guérande, in Brittany. She was Jane, daughter of Charles II., King of Navarre, by Jane, daughter of the King of France.

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1384. May 26th. 7 Richard II. part ii. Inspeximus and confirmation in favour of John Wodeward of letters patent (in French) of the King's brother John, Duke of Brittany and Earl of Richmond, Lord of the Rape of Hastings, dated at Robertsbridge Abbey under his privy seal and signet, St. Lawrence, 50 Edward III., being a grant for life to the said John of the bailiwick of the Rape of Hastings for 20s. paid in the hanaper. (Salisbury.)

1384. July 5th. Appointment during pleasure of Thomas Saleman, of Fulborne, as auditor of the accounts of the King's reeves and bailiffs in the lordship of Richmond, which for certain reasons is in the King's hands. By Bill of Treasurer. (Westminster.)

1384. July 7th. Grant for life at the supplication of the King's kinsman, the Earl of Nottingham, to Robert de Plesyngton, Chief Baron of the Exchequer, of the office of Steward of Richmondshire, and the lordships, manors, and lands late of John, Duke of Brittany, parcel of or belonging thereto. By Signet Letter.

1384. July 18th. Mandate to the Dean and Chapter of the King's Free Chapel of Hastinges to induct Nicholas Slake, King's clerk, into possession of the prebend lately held by Robert de Asshenden deceased in that chapel, and to assign him a stall in the choir. (Westminster.)

1384. December 22nd. Grant for life to Queen Anne—as from Michaelmas last upon her surrendering letters patent (dated May 24th and June 12th, 5 Richard II., and November 22nd, 6 Richard II.), which are recited, granting to her *inter alia* the following sums and custody of lands which she hereby surrenders to the King, namely, £25 a year from the great customs of the ports of London and Hull respectively, £33 2s. 1<sup>3</sup>/<sub>4</sub>d. a year from the subsidy of cloth in London, and £82 14s. 0<sup>1</sup>/<sub>2</sub>d. a year, part of £250 from the great customs of the port of Boston of the county and lordship of Richmond, which the late King granted to John, Duke of Brittany, and Joan, his wife, the King's sister, now deceased, and which for the Duke's adherence to France is forfeited and the manor of Gedyngton, County Northants, together amounting to the yearly value of £1,000 in lieu of the surrender aforesaid; and further grant to the Queen of the residue of the castles, manors, etc., contained in the said letters patent now surrendered. By the King. (Westminster.)

### *Patent Rolls, Richard II.*

1385. January 18th. Appointment of Simon de Burley, Constable of Dover Castle and Warden of the Cinque Ports, John de Cobham of Kent, John Devereux, and Edward Dalyngrugg, upon information that the French with a large army intend to land within the liberty of the Cinque



## The Rape Restored to John V. Duke of Brittany

Constable of France. This nobleman was at bitter feud with the Duke of Brittany, inasmuch as Olivier had, by a deep-laid scheme, secured the freedom of John of Blois (so-called John of Brittany) son of the late Charles of Blois, the old rival of Brittany, on condition that the released captive should marry Clisson's daughter. All this had been done, and the wedding had actually taken place. The Duke of Brittany naturally viewed these arrangements as conceived in a spirit of hostility to himself. When, therefore, the Constable was about to start on his expedition against England, the Duke suddenly seized him and imprisoned him in his new Castle of Ermine, near Vannes, intending to kill him. He was subsequently induced to spare the Constable, on payment of a ransom and surrender of three castles. The French nobles were hot for revenge against the Duke, but the King of France was afraid to take strong measures, and contented himself with sending the Bishop of Langres to the Duke to ask him to state his reasons for this high-handed action towards the Constable. The Duke disclaimed any intention of frustrating the expedition against England, but refused to return the ransom or to restore the castles. As a matter of fact, he was now in secret treaty with England, and courting the sympathy of his own subjects. On March 1st, 1387, Richard restored John, Duke of Brittany, to the honour of Richmond by the following instrument:—

GRANT OF THE HONOUR OF RICHMOND (INCLUDING THE RAPE OF HASTINGS), BY  
RICHARD II. TO JOHN DUKE OF BRITANNY.  
(Anno 10 Richard II.)

Richard, by the grace of God, King of England and France, and Lord of Ireland, to his Archbishops, Abbots, Priors, Dukes, Earls, Barons, Justices, Sheriffs, Reeves, Mayors, Bailiffs, Ministers, and all other his faithful subjects, Greeting. Know ye that of our special grace and

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Ports to destroy them. To levy from the seller upon every basket of fish coming to Rye, Winchester, Hastynges, Promhill, Lyde, Pevenyse, Romene, Hethe, Folkestone, Dele, Walmere, Recolvere, Wytstaple, Sesaltre, Mergate, in the Isle of Tenet, Ridlyngweld, Bourn, Codyng, Bolewareheth, Iham, Odymer, and Pleydenne, and to expend all sums arising therefrom upon the defence of those ports and the country adjacent, and to take masons, carpenters, and labourers for the fortifying of Rye, with power to arrest and imprison the disobedient until further order. By the King and Council. (Westminster.)

[There is another order of the same date, in almost the same terms, for a toll of 3d. on every noble's worth of fish landed at these and some other ports; and those who were to collect the toll were not charged to render any account to the King.]

1385. March 3rd. Presentation of James de Billyngford to the prebend of Bulwerheth, in the King's Free Chapel of Hastings, in the diocese of Chichester, void by the resignation of John Eyr. (Eltham Manor.)

1385. March 15th. Grant in honour of St. Martin and, for certain important reasons, to the King's secretary, John Bacun, Dean of the King's Free Chapel of St. Martin's le Grand, London, and the Chapter thereof, of the advowson of Bassyngbourn, parcel of the lordship of Richmond, granted to Queen Anne, who hath surrendered into the King's hands all her estate therein as appears by her letters patent; and license for the said Dean and Chapter to appropriate the same in mortmain, in augmentation of the maintenance of the vicars and other divine obsequies therein. By P.S. (Westminster.)

1385. April 17th. Presentation of Richard de Stokton, Chaplain, to the prebend of Wertelyng, Neunfeld, and Hoo, in the King's Free Chapel of Hastynges, in the diocese of Chichester, void by the resignation of John Scarle. By P.S. (Westminster.)

1385. April 26th. Mandate to the Dean and Chapter of the King's Free Chapel of Hastynges to induct Richard de Stokton, Chaplain, or his proctor into corporal possession of the prebend of Wertelyng, Neunfeld, and Hoo in that chapel, William, Bishop of Chichester, having at the King's presentation admitted him thereto. (Westminster.)

## Further Grant to John V. Duke of Brittany

for certain reasonable causes us and our council thereunto specially moving, we do give, grant, and by this our present Charter confirm unto our dearest brother John, Duke of Brittany and Count de Montfort, the Earldom, Castle, Town, and Honour of Richmond, together with all other castles, manors, lands, and tenements whatsoever and wheresoever being, appertaining to the said earldom : to have and to hold, to him and the heirs of his body issuing, of us and our heirs by homage, fealty, and the other services thence due and accustomed ; as also the liberties and prerogatives of all kind as well of royalties as other things ; likewise the knights' fees, advowsons of churches, abbeys, monasteries, priories, hospitals, chapels, and other houses religious and secular ; also with the members, hamlets, meadows, feedings, pastures, fisheries, waters, water-courses, moors, marshes, turbaries, chaces, parks, woods, warrens, hundreds, fairs, markets, free customs, wards, marriages, escheats, and services as well of free tenants as of villeins, and all others to the said earldom, honour, castle, town, manors, lands, tenements, and places aforesaid with their appurtenances, of what kind soever, or wheresoever being and belonging (in all respects as fully and entirely as our most dear consort Anne, Queen of England, by our gift,<sup>1</sup> or the said Duke of late, before the taking of the same into our hands, more freely or better had or held the same) for ever. Provided that if the said Duke should die without heirs of his body issuing, then after the decease of the said Duke the aforesaid earldom, together with the honour, etc., do revert entirely to us and our heirs. Wherefore we will, and firmly command, for us and our heirs, that the said Duke may have and hold to himself and the heirs of his body issuing the aforesaid earldom, etc. (in all respects as fully and entirely as our dearest consort Anne, Queen of England, from our gift, or the said Duke of late before the taking of the same into our hands, better or more freely had or held the same) of us and our heirs by homage and the services aforesaid, for ever as aforesaid. Provided that if the said Duke should die without heirs of his body issuing, then after the decease of the said Duke, the said earldom, honour, etc., shall entirely revert to us and our heirs : these being witnesses—the most venerable fathers William, Archbishop of Canterbury, Primate of all England ; Thomas, Archbishop of York, Primate of England ; R. London ; W., of Winchester ; Thomas, of Ely (our Chancellor) ; Thomas, of Exeter ; and I., of Hereford (our Treasurer), bishops ; and Edmund, Duke of York, Thomas, Duke of Gloucester, Constable of England, our dearest uncles ; Robert, Duke of Ireland, Chamberlain of England ; Henry, of Derby ; Richard, of Arundell ; Thomas, of Warwick ; Thomas Mowbray, of Nottingham, Marshal of England ; and Henry de Percy, of Northumberland, Earls ; Robert de Willoughby ; Nocho, Abbot of Waltham ; John de Cobham, Richard le Scroop, John Devereux ; John Waltham, Keeper of our Privy Seal ; John de Beauchampe, Steward of our Household, and others. Given by our hand at Westminster the first day of March, in the tenth year of our reign. By the King and Council.

And instructions were given to all and several the Archbishops, Bishops, Abbots, Priors, and other prelates of churches, and to the King's beloved and faithful dukes, earls, barons, knights, and all other men whomsoever, vassals, feudatories, and tenants of the said castles, honour and earldom of Richmond, that they should receive without any difficulty the aforesaid Duke of Brittany or his attorneys, etc. to the said earldom, etc., and that moreover they should obey him as their lord, and show and do to him homage, fealty, and all services and duties owing and accustomed to the earldom and honour of Richmond, as they were rendered and paid to the said Duke of Brittany lately before the taking of the said county, castle, town, and honour into the hands of the King.

Given at the Palace of Westminster under the Great Seal, the twentieth day of November (10 Richard II.).

Whether this instrument took immediate effect seems doubtful, for on June 2nd, 1388, power was given to Richard, Earl of Arundel, to treat for a peace with John, Duke of Brittany (Westminster ; *Fœd.* vii. 586), and on November 20th, 1388, a grant agreeing in all respects with that above quoted was made by the King to the Duke.

In the years 1387 to 1388 John, Duke of Brittany, had thus formed an apparently strong alliance with England, but the pact was of short duration. The

<sup>1</sup> Richard Pelham was bailiff of the Rape of Hastings for the liberties of the Queen, and read the writ at Wartling for the return of the "Guilts" 4th January, 1388-9. (Parcel I. [12 Richard II.]. No. 15, m. 94-97.)





# SEALS OF THE DUKES OF BRITANNY.

(LORDS OF THE RAPE OF HASTINGS.)



SIZE.

1. John, Duke of Brittany, 1275. 1A, counter-seal.
2. Arthur, of Brittany, 1296. 2A, counter-seal.
3. John (II), Duke of Brittany, 1302. 3A, counter-seal.
4. John (III), Duke of Brittany, 1315. 4A, counter-seal.
5. John de Montfort, *soi-disant* Duke of Brittany, 1391. 5A, counter-seal.



## Final Forfeiture of the Rape by the Dukes of Brittany

French dealt cautiously with a man who, as they well knew, held the balance of power between the two countries. After repeated negotiations John, Duke of Brittany, consented to give up to the French King the castles of which he had despoiled Clisson. In the meantime the Earl of Arundel, as admiral of the English fleet, had been cruising off the coast of Brittany, expecting to concert with the Duke a plan of campaign against the King of France. Once again were the English destined to experience the utter untrustworthiness of this designing Duke; Arundel, to his disgust, suddenly heard that the Duke had concluded a treaty with the French King, agreeing to repay by instalments the ransom which he had extorted from Clisson, and doing homage for the duchy. Arundel took his fleet home about Christmas, 1388.

"In the Parliament 14 Richard II. (1390-91) it was declared by the King and lords in the said Parliament, that at the Parliament holden at Westminster on the morrow of St. Martin, in the eighth year of the reign of our Lord the present King, the Earldom and Lordship of Richmond, with the appurtenances thereof, were adjudged by the King and Lords as forfeit to the King, by reason of the adherence of John, Duke of Brittany, formerly Earl of Richmond, to the King's adversary of France, contrary to the alliances made by the said Duke, as well with our lord the present King as with his most noble grandfather, whom God assoil; for which alliances the said Duke had [received] the aforesaid Earldom and Lordship: which judgment was not at that time put on the Roll of the said Parliament holden in the said eighth year of his reign for certain reasons well known to the King and the aforesaid lords."

By this judgment the Earldom of Richmond, which, from the time of the Conquest, had been the price at which successive kings repeatedly purchased the wavering fidelity and service of the Dukes of Brittany, was finally separated from that duchy, but not without a protest on the part of the Duke (*Rot. Parl.*, 14 Richard II., n. 14).

Nothing worse resulted from this matter than a truce in 1389 between France

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Extracted from the register of Lord Richard Medford, Bishop of Chichester, in the year of our Lord, 1391. 7 Ides May, in the year abovesaid, by Master Philip Galeys, Vicar-General of the spiritualities of the venerable father Lord Richard, by the grace of God Bishop of Chichester, Sir Roger Hethe, priest, was admitted to the vicarage of the parish church of Pesemersshe, in the diocese of Chichester, vacant by the resignation of Sir John Adloxtun, last vicar of the same, by reason of an exchange of the said vicarage for the parish church of Lynche [*sic*], in the same diocese which the said Roger previously held, at the presentation of Sir Henry Daux, prebendary of the prebend of Pesemersshe, and was canonically instituted into the same with all its rights and appurtenances, and undertook obedience to the Lord, etc. And letters were written to the Archdeacon of Lewes or his Official to induct him. (*Ch. Misc.*  $\frac{1}{4}$ .)

17 Kalends June, in the year abovesaid, by the Vicar-General aforesaid, Sir Richard Cook, priest, was admitted to the vicarage of the parish and prebendal church of Holyngtone, in the diocese of Chichester, vacant by the resignation of Sir Nicholas Chambirleyn, the last vicar of the same, by reason of an exchange made of the said vicarage with the vicarage of the parish church of Brystlesham, in the diocese of Salisbury, which the said Sir Richard previously held, at the presentation of Sir Henry Medborne, prebendary of the prebend of Holyngtone, and was canonically instituted in the same, and undertook obedience to the Lord, etc. And letters were written to the Archdeacon of Lewes or his Official to induct him. (*Ch. Misc.*  $\frac{1}{4}$ .)

The 5th day of the month of June, in the year of our Lord abovesaid, Sir Salomon Haywode was admitted to the prebend of Nenefelde, Wertlyng, and Hoo in the Lord King's Chapel of Hastings, in the diocese of Chichester, vacant by the resignation of Thomas Weston, clerk, proxy of Sir William Aston, the last prebendary of the same, by reason of an exchange made of the same for the parish church of Hertynge, to which prebend he is presented by the Lord King to the Lord Bishop of Chichester, and was canonically instituted in the same, and undertook obedience to the Lord, etc. And letters were written to the Archdeacon of Lewes or his Official to induct him. (*Ch. Misc.*  $\frac{1}{4}$ .)

## Death of Anne, Queen of Richard II

and England for three years. But the Duke was still angry in his heart with Olivier de Clisson and the French King; however, he came to terms with Charles at Tours. By this agreement it was stipulated that the King's daughter should marry the Duke's son, and John of Blois's son should marry the Duke's daughter. The parties swore to see this arrangement carried out when the children were old enough for marriage. This did not avail to appease the hatred between the Duke and Clisson: a murderous attack was made on the Constable at Paris by Peter de Craon. The latter, being a friend of the Duke's, was believed to have been incited to this outrage by him, and was generally suspected to have taken refuge with him in Brittany. The French King immediately marched on Brittany, but stopped short at Le Mans and sent ambassadors forward. The further prosecution of the matter was brought to an abrupt and unexpected termination by the sudden madness which seized Charles VI. of France. Clisson received scant sympathy from the Dukes of Berry and Burgundy, the Regents, who indeed brought against him a charge of corrupt practices, and procured a sentence of forfeiture of his lands in France. He afterwards made an attack on John, Duke of Brittany, which was regarded in the light of private warfare; in this he proved so much the stronger that ere long he would have doubtless crushed the Duke. However, the latter quickly realized his position, and skilfully made handsome overtures to the late Constable, with the unexpected result that the two bitter foes became fully reconciled. The reconciliation caused great surprise both in England and France (*Froissart*).

On June 10th, 1394, Queen Anne of England died, greatly regretted by all. It seems clear that, notwithstanding the duplicity of John of Brittany, Richard

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In the year of our Lord, 1392, the 4th day of the month of October, in the year of our Lord abovesaid, by the said Vicar-General, Sir Thomas Walsham was admitted to the vacant perpetual vicarage of the parish church of Odymer, at the presentation of the Abbot and Convent of the Monastery of the Blessed Mary of Robertsbridge, and was canonically instituted perpetual vicar in the same, with all its rights and appurtenances, and swore obedience to the Lord, etc. And letters were written to the Archdeacon of Lewes or his Official to induct him. (*Ch. Misc. R. 24.*)

The 31st day of January, in the year of our Lord 1393, at London, Robert Elteslee, clerk, was admitted to the Canonry and Prebend of Bulwarheth in the Royal Chapel of Hastyngs vacant by the voluntary resignation of Master Thomas Banaster of Elteslee, the last prebendary, made and admitted, at the presentation of our most excellent prince and lord in Christ, Lord Richard, by the grace of God King of England and France, and Lord of Ireland, true patron of the said Canonry and Prebend, and was instituted Canon and Prebendary in the same, and the said Prebendary swore canonical obedience in due form to the Lord Bishop and his Official and servants. And this was certified to the King, and letters were written to the Archdeacon of Lewes or his Official to induct him.

On the same day and in the same place, Sir Thomas Botelere, Dean of the Royal Chapel of Windsor, was admitted to the vacant Canonry and Prebend of Wertlyng, Nenefelde, and Hoo, in the Collegiate Church of Hastyngs, at the presentation of the most excellent prince in Christ our Lord, Lord Richard, by the grace of God King of England and France, and Lord of Ireland, true patron of the said Canonry and Prebend, and was instituted Canon and Prebend in the same, and swore canonical obedience to the Lord Bishop and his Official and servants, etc. And it was certified to the King. And letters were written to the Archdeacon of Lewes or his Official to induct him. (*Ch. Misc. R. 24.*)

In the year of our Lord, 1393, the 13th day of April, at Eltham, Sir Nicholas Slake, priest, was admitted to the Prebend of Brythlyng, in the Royal Chapel of Hastyngs, in the diocese of Chichester, at the presentation of our most excellent Prince and lord, Lord Richard, by the grace of God King of England and France, and Lord of Ireland, vacant by the death of Master John Sutbury, the last prebendary of the same, and was canonically instituted in the same,



## Reconciliation with the Duke of Brittany

still retained kindly feelings towards him. Thus we find him, on April 28th, 1394, writing to Charles VI., who had to some extent recovered his health, in favour of the Duke, who had been sentenced by the French Parliament to make restitution to Joan, Lady de Rays (*Fœd.* vii. 831). On May 3rd, 1396, a warrant was granted for customers at St. Botolph's to pay an annuity of £37 16s. 8d. to the Duke; he was further exempted on June 18th, 1396, from payment of certain customs on wine sent to his sister Joan, Lady de Basset.

At this time Richard was negotiating for his own marriage to a daughter of Charles VI., then a mere child in her ninth year. Froissart mentions (as we have before seen) that this child had (strictly speaking) been given in marriage to the son of the Duke of Brittany, but that he had to be content with her younger sister. It was agreed that the castles of Brest and Cherbourg should be ceded to France. The marriage took place near Calais in November, 1396, and on March 28th, 1397, the Earl of Huntingdon was ordered to deliver the castle of Brest to John Drax for the Duke of Brittany. On the ninth of the following July the King ordered the bailiffs and tenants of Sevenhamton, with the hundred of Heworth, to pay to the Duke the rents and services due from September 14th (2 Richard II.) to the day when Brest was delivered back to him. The surrender

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and undertook obedience to the Lord, etc. And letters were written to the Archdeacon of Lewes or his Official to induct him. (*Ch. Misc. R.*  $\frac{1}{14}$ .)

The 5th day of June, in the year of our Lord abovesaid, at Lewes, the lord [bishop] granted the parish church of Newchurch, in the diocese of Canterbury, by the authority of the Lord Archbishop of Canterbury to the lord [bishop] committed, to Sir Salomon Haywode, and admitted him to the Prebend of Wertlyng, Nenefeld, and Hoo, in the Lord King's Chapel of Hastyngs, in the diocese of Chichester, vacant by the resignation of Thomas Weston, clerk, proxy of Sir William Aston, the last Rector and Prebendary of the same, by reason of an exchange made of the same for the parish church of Hertying, in the diocese of Chichester, to which prebend he is presented by our Lord King to the Lord Bishop of Chichester, and in the person of Richard Tylle, clerk, his proxy, he was instituted Rector and Prebendary in the same. The induction and obedience of the said Salomon for the church of Newchurch aforesaid are reserved to the Lord Archbishop of Canterbury; and the said proxy undertook obedience to his lord for the prebend aforesaid. And letters were written to the Archdeacon of Lewes or his Official to induct him. (*Ch. Misc. R.*  $\frac{1}{14}$ .)

On the 5th day of August, in the year of our Lord abovesaid, at London, the said Reverend Father, Bishop of Chichester, admitted Sir Roger Jonus to the perpetual vicarage of the church of St. Mary the Virgin of Odymer, in the diocese of Chichester, vacant by the voluntary resignation of Sir Robert Palmer, last vicar of the same, at the presentation of the Abbot and Convent of the Monastery of the Blessed Mary, of Robertsbridge, patrons of the said vicarage, and canonically instituted him corporally perpetual vicar of the said church, with all its rights and appurtenances, after he had first taken an oath on the holy gospels to reside personally and constantly therein, in accordance with the tenor of the constitutions of Lords Otto and Octobonus, formerly English legates of the Apostolical See, in this behalf published. And he swore canonical obedience, etc., to the said Reverend Father. And charge was given to the Archdeacon of Lewes or his Official for his induction. (*Ch. Misc. R.*  $\frac{1}{14}$ .)

The 12th day of the same month, in the year of our Lord abovesaid, the said Reverend Father, the Bishop of Chichester, admitted Sir John Notyngnam to the prebend of Holyngtone, in the Royal Chapel of Hastyngs, in the diocese of Chichester, at the presentation of the most excellent prince, Lord Richard, by the grace of God King of England and France, and undertook obedience to the said Reverend Father, etc. And this was certified to the said Lord King. (*Ch. Misc. R.*  $\frac{1}{14}$ .)

The 13th day of the same month, in the year of our Lord abovesaid, the said Reverend Father, the Bishop of Chichester, admitted William Spygornelle, clerk, to the Prebend of Brythlyng in Hastyngs Chapel, at the presentation of the King, and he undertook canonical obedience to the said Lord Bishop. And it was certified to the King. (*Ch. Misc. R.*  $\frac{1}{14}$ .)

## Grant of the Rape to the Duke's Sister

of these castles led to some discontent in England, it being reported that the Channel Islands and Calais also would be given up. The Duke of Gloucester, taking advantage of this discontent, planned a rising against his nephew the King. Richard was now supported by John of Gaunt, whose illegitimate children, assuming the name of Beaufort, had lately been legitimatized on his marriage with their mother, Catherine Swinford; he had become a widower in the same year as King Richard. In consequence of this rising, Gloucester was taken prisoner and confined in the castle of Calais, where he soon afterwards was murdered, it is supposed, by his nephew's orders. The keepers of the peace in Sussex, Surrey, Kent, and Essex were enjoined to seize "all persons who speak against the arrest of the Duke of Gloucester and the Earls of Arundel and Warwick, and endeavour to raise the people against the King."

On July 20th, 1397, a safe-conduct was granted to John, Duke of Brittany on his coming into England. (*Fæd.* viii. 8.)

On Christmas Eve, 1398, the King ordered his officers in the lordship of Richmond to return to the Duke of Brittany the rents which they had collected (*West. O.* viii. 64); but on St. George's Day, April 23rd, 1399, the Duke released to the King all sums of money due from the earldom of Richmond. By a grant dated the following day the King gave to Joan, sister of the Duke, and widow of Ralph, Lord Basset of Drayton, K.G., the honour of Richmond, etc., in the following words:—

### GRANT BY RICHARD II. OF RICHMOND, ETC., TO JOAN BASSET AND OTHERS.

(21 *Richard II.* 1397).

Richard, by the grace of God King of England and France, and Lord of Ireland, to his Archbishops, Bishops, Abbots, Priors, Dukes, Earls, Barons, Justices, Sheriffs, Reeves, Ministers, and all his bailiffs and faithful subjects, Greeting. Know ye that for certain reasonable causes us and our Council specially thereto moving, we do grant, and by this our present charter confirm, unto Joan, who was the wife of Ralph Basset, of Drayton, Knight, sister of our dearest brother John, Duke of Brittany and Earl of Richmond, Anthony Rieze, and Nicholas Alderwicke, the earldom, castle, town, and honour of Richmond; also all other castles, manors, lands, and tenements whatsoever and wheresoever being, to the said earldom belonging; to have and to hold to them the said Joan, Anthony, and Nicholas, and their heirs, by homage, fealty and the other services thence due and accustomed: together with the liberties, franchises, and prerogatives, appurtenances, etc., and all other things to the said earldom, honour, castles, town, manors, lands, tenements and places aforesaid, with all and singular their appurtenances whatsoever and wheresoever being or belonging (in all respects as fully and entirely as the said Duke or any of his ancestors better or more freely had, or held, the same) for ever. And we moreover will, and firmly command for us and our heirs, that the said Joan, Anthony, and Nicholas may have and hold to themselves and their heirs, the said earldom, etc., whatsoever and wheresoever being, belonging to the said earldom, etc., with all and singular their appurtenances whatsoever, of what kind soever and wheresoever being or belonging (in all respects as fully and entirely as the said Duke or any of his ancestors better or more freely had, or held, the same) for ever, as it is said: these being witnesses—the most venerable father R. Archbishop of Canterbury, Primate of all England; the Bishops W. of Winchester, R. of Exeter, Chancellors; G. of St. David's [Menevia], our Treasurer; the Dukes John of Aquitaine and Lancaster, and Edmund of York, our uncles; Edward of Albemarle, and John of Exeter, our dearest brothers; Thomas de Percy, Steward of our household; Richard Clyfford, Keeper of our Privy Seal, and others.

Given by our hand at Westminster, the 24th day of April, in the 21st year of our reign.<sup>1</sup>

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<sup>1</sup> The grant is from the King; presumably, therefore, the earldom had not been out of the possession of the Crown since the forfeiture decreed by the Lords in 14 Richard II.



## The Insurrection of 1399

Richard was unceasingly vexed by the ambitions and quarrels of his nobles. In 1398 (February 23rd) a quarrel broke out between the Duke of Hereford (Henry Bolingbroke, son of John of Gaunt) and the Duke of Norfolk. A duel was arranged in accordance with the rules of chivalry, but the King forbade it, and banished both the would-be combatants. Richard subsequently revoked a promise which he had made that Hereford should succeed his father, John of Gaunt, who had lately died in possession of the duchy of Lancaster (January, 1399). Hereford now entered into negotiations with Archbishop Arundel, then also in exile; Richard meanwhile crossed over to Ireland on May 29th, 1399, leaving the Duke of York in charge of the realm. At this moment the duplicity of John of Brittany once more comes into play. Hereford, who was in France, obtained leave of the King of France to visit his uncle the Duke of Brittany. It is said by Froissart that Charles (the father of Richard's Queen), all unsuspecting of Hereford's designs, willingly consented to the visit. The Duke advised Hereford to league himself with the citizens of London, who had invited him to England; he urged him to rely upon them, in the assurance that they would see justice done to him with respect to the Lancastrian estates. The Duke provided his nephew with ships and men, and Hereford landed in Yorkshire on July 4th, 1399. He was soon joined by the Earls of Westmoreland and Northumberland, and later on by the Regent York.

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In the year of our Lord, 1396. The 9th day of October, Sir Richard Julian was admitted to the vacant perpetual vicarage of the parish church of Salhurst, in the diocese of Chichester, at the presentation of the religious men, the Abbot and Convent of Robertsbridge, and was canonically instituted in the same. And letters were written to the Archdeacon of Lewes or his Official to induct, and were dispatched on the 12th of the same month. (*Ch. Misc.*  $\frac{1}{2}$ 4.)

Extracted from the Register of Lord Robert Reede of good memory, formerly Bishop of Chichester, in the year of our Lord, 1397. On the 8th day of March, in the year of our Lord abovesaid, Master Thomas Weston was admitted to a canonry in the Royal Chapel of Hastings, and the prebend of Stone in the same, vacant by the voluntary resignation of Lord Alexander Herle, the last Canon and Prebendary of the same, at the presentation of the Lord King, true patron thereof, and was canonically instituted in the same. And letters were written to the Archdeacon of Lewes or his Official to induct him into corporal possession of the said prebend. (*Ch. Misc.*  $\frac{1}{2}$ 4.)

The 19th day of July, in the year of our Lord abovesaid, at Battle, Sir William Smyth, chaplain, was admitted to the perpetual vicarage of the church of Holyngton, vacant by the voluntary resignation of Sir Richard Cook, the last vicar of the same, by reason of an exchange of the said vicarage for the parish church of Sulham, which the said William formerly held, and at the presentation of John Notyngham, Canon and Prebendary of the prebend of Holyngton, true patron of the said vicarage, he was canonically instituted in the same with all its rights and appurtenances, on account and by reason of the exchange aforesaid, and his corporal oath being taken to reside there corporally and continually, in accordance with the tenor of the Constitutions of Lords Otto and Octobonus, etc., and he undertook obedience to the Lord Bishop, etc. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Misc.*  $\frac{1}{2}$ 4.)

The 22nd day of the same month, in the year abovesaid, at Robertsbridge, Sir John Fulman was admitted to the perpetual vicarage of Odimere, vacant by the death of Sir Roger Jonus, last vicar of the same, at the presentation of the Abbot and Convent of Robertsbridge aforesaid, and was canonically instituted; and undertook obedience to the Lord Bishop, etc. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Misc.*  $\frac{1}{2}$ 4.)

The 23rd day of August, in the year of our Lord abovesaid, at Amberle, Sir John Lytlington was admitted to the perpetual vicarage of Salehurst, vacant by the resignation of Sir Richard Julian, the last vicar of the same, by reason of an exchange of the same for the church of Cottesfeld, at the presentation of the religious men, the Abbot and Convent of the Monastery of Robertsbridge, and he was instituted canon in the same; undertook obedience to the Lord Bishop, etc. And letters were written to the Archdeacon of Lewes to induct. (*Ch. Misc. R.*  $\frac{1}{2}$ 4.)

In the year of our Lord, 1398. The 13th day of July, in the year of our Lord abovesaid, Sir

## Sir John Pelham Joins Bolingbroke

Richard hurried home from Ireland, and landed in Wales, only to find himself deserted by all. Within a few days he was practically a prisoner, although (as in the case of the luckless Edward II.) orders still continued to be issued in his name. Thus, on August 20th, an order was issued that "the King hearing that Henry, Duke of Lancaster, had arrived in England to reform certain abuses in the kingdom," bade the several sheriffs apprehend all persons assembled with the view of committing a breach of the peace. (Given at Chester.)

Sir John de Pelham, who was formerly an esquire in the service of John of Gaunt, and had fought (as we have seen) at Poitiers, had been appointed Constable of his castle of Pevensey<sup>1</sup> by John of Gaunt in 1394, and had now made his way

<sup>1</sup> Mention is made of this fact in the following Grant, namely: William Bertelot of Pevenese (Pevensey, County Sussex) granted to John ate Hethe, rector of Fokyngton (Folkington), John ate Downe and Vicar of Hailsham, John Wodelond, and John Bakon of all his lands, rentes, etc., in Pevenese, Westham, and Hailsham; excepting those in Pevenese and Westham, which belong to him for life "*per legum Anglie*" after the death of Joan, his late wife, and excepting eighteen acres of land at Whytdeke, in Hailsham, which he holds for life from John Garden, of Romane (Romney, County Kent).

Witnesses: John Pelham, *constabularius castri de Pevenese*; Simon Lusforde, *tunc ballivus*; John Hordenne, *tunc portrevus*; Simon Leger. Dated Pevenese, the day after the feast of SS. Simon and Jude (October 28th) 22 Richard II. (1398).

(*Latin Fragment of seal; Add. Ch. 30,717.*)

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Thomas Hylton was admitted to the prebend of Holyngtone, in the Royal Chapel of Hastyngs, [vacant] by the voluntary resignation of Sir John Notyngham, the last prebendary of the same, to which he is presented by our most illustrious lord the King, the true patron of the same, and was canonically instituted therein, and undertook obedience to the Lord Bishop, etc. And letters were written to the Archdeacon of Lewes to induct. (*Ch. Misc. R. 34.*)

Robert, by divine permission, Bishop of Chichester, to our beloved in Christ Master Gilbert de Stone, clerk, greeting, grace and benediction. This 20th day of August, in the year of our Lord 1398, we admit you in due form to the deanery of the Royal Free Chapel of Hastyngs, in our diocese, vacant by the resignation of Richard Clyfford, junior, the last Dean of the same, to which you are presented to us by the most excellent prince and our lord, Lord Richard, King of England and France, and canonically institute you Dean in the same, with all its rights and appurtenances, reserving always in all things our customs, and our church and dignity. In witness whereof our seal is appended to these presents. Given in our manor of Cakham the day, month, and year abovesaid, and in the eighth year of our translation. At this admission there were present with the Lord Bishop Master John Maydenhithe, Dean of the Church of Chichester, and Robert Neel, Canon of the said church. After which admission, made as set forth above, Master Gilbert declared himself ready to give proxy for obedience (*ad prandum obiam*) to the lord in his place and name, [and] then and there constituted Master Robert Neel his proxy, so that by this procuration of obedience the nature of this benefice or deanery should not be changed. And he undertook (? reasonably) obedience then and there. (*Ch. Misc. 34.*)

The 6th day of September, in the year of our Lord abovesaid, at Cakham, Sir Simon Hoke was admitted to the vacant prebend of Marlepas, in the Royal Chapel of Hastyngs, to which he is presented by the most excellent Prince in Christ and our lord, Lord Richard, illustrious King of England and France, and was canonically instituted prebendary in the same, with all its rights and appurtenances, in the person of Sir Thomas Barbour, his proxy in this behalf, who undertook obedience to the Lord in the place and name of his master, etc. And letters were written to the Archdeacon of Lewes to induct. (*Ch. Misc. 34.*)

The 4th day of October, in the year of our Lord abovesaid, John Wottone was admitted to the prebend of Bulwarhithe in the Royal Chapel of Hastings, vacant by the resignation of Sir Robert Eltysle, the last prebend of the same, by reason of an exchange to be made with him for the parish church of St. Bartholomew the Less, London, which he held previously, at the presentation of the most illustrious Prince and lord in Christ, Lord Richard, by the grace of God King of England and France; he was canonically instituted in the same with all its rights and appurtenances, and undertook obedience to the Lord Bishop, etc. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Misc. 34.*)



## Lady Joan Pelham Besieged

northward to assist Hereford, the son of his old master. He had written to his wife, Joan, a letter from Pontefract, which reached her on July 22nd.<sup>1</sup> She dutifully replied to him on St. James's day, August 5th, 1399. The letter, which illustrates well the mediæval relationship of "*Baron et Feme*," is one of the earliest known letters extant written by a woman in the English language, is here given in the lady's orthography.

MY DERE LORD,—

I recomande me to your hie Lordeschippe, wyth hert and body and all my pore myght, and wyth all this I think zow, as my dere Lorde derest and best yloved off all earthlyche Lordes : I say for me and thanke yhow my dere Lorde, with all thys that I say before, off your comfortable lettre, that ze send me from Pownefraite, that com to me on Mary Magdaleyn day : ffor by my trowth I was never so gladd as when I herd by your lettre, that ye warr stronge ynogh wyth the grace off God, for to kepe yow fro the malyce of your ennemys. And, dere Lorde, iff it lyk to your hyee Lordeschippe, that als ye myght, that smyght her off your gracious spede, whych God Allmyghty contynue and encesse. And, my dere Lorde, if is lyk zow for to know off my ffare, I am here by layd in manner off a sege, wyth the Count of Sussex, Sudray, and a greet parsyll off Kentte : so that I ne may noght out, nor none vitayles gette me, bot with myche hard. Wharfore, my dere, if it lyk zow, by the awyse off zowr wyse counsell, for to sett remadye off the salvation off these grette malyce wyker's in these schyres, whyche yt haffes to dispytfully wroght to zow, and to zowl castell, to yhow men, and to zour tenaunts ffore this cuntree, have yai wastede for a greet whyle.

Farewell, my dere Lorde, the Holy Trinyte zow kepe fro zour ennemys, and son send me gud thythyngs off yhow.

Yurten at Pevensay in the Castell, on Saynt Jacobe day last past.

By yhour awnn pore J. PELHAM.

To my trew Lorde.

This poor lady, Joanna (Crownall), was in fact besieged by the loyal *posse comitatus* of Sussex, Surrey, and Kent, and, so far as we know, sustained the siege successfully.<sup>2</sup>

Richard executed the final deed or resignation on September 29th, 1399 : and next day it was accepted by the Parliament at Westminster, Henry Duke of Lancaster, being elected to rule in his stead. The course of life of the dis-crowned King, after his deposition, seems to be unknown.

<sup>1</sup> This letter was formerly among the *Newcastle Documents*, now in the British Museum.

<sup>2</sup> This is inferred from John Pelham's petition to Parliament, 23 Henry VI.

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In the year of our Lord, 1399. The 5th day of December, in the year of our Lord abovesaid, at London, the Lord Bishop of Chichester gave authority and wrote to Lord Richard, Bishop of Salisbury, to hear, examine and discuss the causes of exchange between Sir John Wotton, prebendary of the prebend of Bulwarhithe in the Royal Chapel of Hastyngs, in the diocese of Chichester, and Sir Thomas atte Lee, Warden of the Free Chapel of Assertone, in the diocese of Salisbury, desiring in this way mutually to exchange their benefices according to the canon, etc., and to finally settle this exchange as is the custom in such cases, reserving to himself the canonical obedience and induction of the said Sir Thomas into corporal possession of the said prebend of Bulwarhithe ; and afterwards, on the 10th of the same month, in the year aforesaid, at London, the lord received certificatory letters from the said Lord Richard, Bishop of Salisbury, on his settlement of the exchange aforesaid between the said Sirs John Wotton and Thomas atte Lee, reserving to the said Lord of Chichester the induction of the said Thomas into corporal possession of the prebend of Bulwarhithe aforesaid, and his canonical obedience. Whereupon the lord decreed that the said Sir Thomas should be inducted into corporal possession of the prebend aforesaid, with all its rights and appurtenances. And the said Sir Thomas undertook obedience to the said lord and his servants in lawful, etc. And letters were written on the 15th day of the month aforesaid, at Dorkyng, to the Archdeacon of Lewes or his Official to induct the aforesaid Sir Thomas or Richard Willesdone, his proxy in this behalf, into corporal possession. (*Ch. Misc.* 34.)

# Grant of the Rape to the Earl of Westmoreland

## CHAPTER XIII

### HENRY IV



THE usurpation of the Crown by Henry of Lancaster was in effect the primary origin of the "Wars of the Roses." His coronation took place on October 13th, 1399; he had previously appointed Ralph Nevill, Earl of Westmoreland, who had borne so prominent a part in the rebellion, Earl Marshal of England (September 30th).<sup>1</sup> This Ralph Nevill was the son of Lord Nevill, who was impeached by the "good parliament." He married, first, the daughter of Hotspur by Lady Percy, sister of Henry Percy; and secondly, Johanna Beaufort, (? illegitimate) daughter of John of Gaunt.

On October 24th, 1399, Sir John Pelham was granted the honour of bearing a sword in the new King's presence.<sup>1</sup> On February 12th in the following year (1400) King Henry granted to Sir John Pelham and his heirs, in consideration of his valuable services, the office of Constable of the castle of Pevensey,<sup>2</sup> with the honour of Aquilla (or the Eagle, as the honour of Pevensey was called), and all those his manors, lands, tenements, rents, services, fees, chases, parks, warrens, mills, rivers, fisheries, etc., and also all perquisites of courts of the hundred, heriots, reliefs, escheats, franchises, returns of writs, issues, fines, and felons, etc., and all other the profits whatsoever, and franchises of the Cinque Ports, within the Rape of Pevensey, which grant was certified and confirmed by letters patent on July 1st, 1400.

The king having resumed the Honour of Richmond to the prejudice of Lady Joan Basset,<sup>3</sup> the Earl of Westmoreland obtained a grant of it in the following terms :—

#### GRANT OF THE HONOUR OF RICHMOND (INCLUDING THE RAPE OF HASTINGS) TO RALPH NEVILL. (*Anno 1 Henry IV.*)

Henry, by the grace of God, King of England and France, and Lord of Ireland, to all to whom these present letters shall come, Greeting. Know ye that we, inwardly considering the gratuitous care, labour, and expenses which our dearest brother, Ralph de Nevill, Earl of Westmoreland, has been at for the good and public benefit of our whole kingdom, as well while we were Duke as after our arrival in England, that he hath daily assisted and upheld us and so continueth to do; also the commendable and beneficial attention which he rendereth us from day to day; of our

<sup>1</sup> The formal grant of the office was made on December 16th, with leave to carry a gold bâton. (*Fæd.*)

<sup>2</sup> The grant was made in the following words :—

*Henry IV., October 24th.* Henry, by the grace of God, King of England, etc. To all to whom these present letters shall come, Greeting. Know ye that we of our special grace and in consideration of the good and acceptable service which our beloved and faithful John Pelham, Knight, has before these times rendered us, do grant to the said John Pelham, that he during the term of his life shall be allowed to bear our sword in our presence at such times and places as he may be required, saving the right to do the same, of any other who by office may chance in future to lay claim thereto. Witness the King, at Westminster, on October 24th, in the first year of his reign. (Pat. pt. II. M. 37, P.S.)

<sup>3</sup> She died on the 8th November, 1403, and was buried in the Abbey of Lavendon, near Olney, Bucks.



## Death of John V. Duke of Brittany, 1399

special grace do give and grant unto the said Earl the castle, earldom, honour, and lordship of Richmond, to have for the term of his life ; together with all manner of castles, honours, lands, etc., offices and other possessions and appurtenances whatsoever to the said castle, earldom, honour, and lordship of what kind soever and wheresoever being or belonging ; in all respects as freely and entirely as John, Duke of Brittany, or any of his ancestors better and more freely had, and held the same. Provided always that if the castle, honour, and lordship aforesaid, or any parcel thereof in the county of York, should be recovered against him the said Earl, or he be ejected therefrom, within the term which the said Earl hath in the same from the demise of the most venerable father, Thomas Arundell, Archbishop of Canterbury (late Archbishop of York), of Edward, Earl of Rutland, and John, late Bishop of Sarum, deceased, the release and quit-rent and estate which Henry Fitzhughe, Knight, had in the same from the demise of Anne, late Queen of England, also from the confirmation of the Lord Richard, late King of England, the second since the Conquest, to the same Earl thereof made by the said Duke of Brittany or his heirs, or by Joan, who was the wife of Ralph Basset, of Drayton, Knight, Anthony de Rysse, and Nicholas Aldrewiche or their heirs ; or that the same castle, honour, and lordship, with the appurtenances or any parcel of the same, should, by us or our heirs, Kings of England, or the Council of us or our said heirs, or by consent of the kingdom, be restored or delivered to the said Duke of Brittany or his heirs, or the said Joan, Antony, and Nicholas or their heirs ; then that which remaineth of the aforesaid term to the said Earl, his heirs, and executors shall be saved. In testimony whereof we have caused these our letters to be made patent. Witness myself at Westminster, the 20th day of October, in the first year of our reign.

John, Duke of Brittany, the late owner of the honour of Richmond, before Joan, Lady Basset, died November 1st, 1399, at Nantes, and was buried in the cathedral church of that city.<sup>1</sup> On February 24th, 1408, "a safe-conduct was granted to John Guychard, merchant, to convey a tomb of alabaster for the late Duke of Brittany to Nantes, together with the three Englishmen who made the same, namely, Thomas Colyn, Thomas Holewell, and Thomas Poppehowe." (Westminster, *Fœd.* viii. 510.)

It was suspected by some that he had been poisoned.<sup>2</sup> Early in January, 1400, an attempt was made to restore Richard to the throne by his half-brothers, the Earls of Kent and Huntingdon. They were speedily taken prisoner, and executed with many others. It is ominously significant that Richard, who had been condemned to perpetual imprisonment, did not long survive this conspiracy, and it was soon bruited abroad that he had died in his prison at Pontefract.

His funeral took place at Langley on February 14th. The fact that he was really dead, however, was doubted by many, and conspiracies again and again were hatched on the assumption that he was in hiding in some remote retreat. Thus in 1402 we find orders given to W., Bishop of Carlisle, Henry Percy, Earl of Northumberland, to arrest all those ecclesiastics and other persons who asserted that King Richard was alive and in Scotland. (Westminster, *Fœd.* O. viii. 255 ; see also June 21st, 1402, *Id.* 262.)

The Earl of Westmoreland, who was continually employed throughout the reign in matters of high state and military importance, was now engaged in treating with the Scots, who had once more crossed the Border. A French invasion was also feared, and the King ordered even the clergy to be arrayed. Waleran, Count of St. Pol, who had married Richard's half-sister, in company with a few

<sup>1</sup> His widow became the second wife of Henry IV. of England, and died July 10th, 1437, at Havering atte Bower, Essex, and was buried with the King at Canterbury.

<sup>2</sup> In the Middle Ages few deaths occurred at all suddenly from constitutional ailments that were not set down by some one to be either due to poison or witchcraft. Judging from the approved recipes given by assumed masters or mistresses of the art, their poisoning methods were so clumsy as to render them liable to instant detection.

## The French Attack the South Coast

Spaniards, and in defiance of the truce, made an attack on the south-eastern and southern shores of England, carrying fire and sword from Cornwall to Suffolk. The French naturally refused to accept Henry as King: they renounced the truce as one made with Richard alone, and demanded the restoration of the child-queen Isabel, repudiating all alliances with the English Court. Matters, however, were so far arranged that in the summer the young Queen, not then twelve years old, was returned to her father, he giving an acquittance for her and her jewels, dated June 3rd, 1401.

The persecution of the Lollards, the sect which had received the support of the King's father, was a curious and somewhat anomalous feature of this reign, though it must be remembered that John of Gaunt and Henry both pursued an absolutely selfish policy. The persecution of the Lollards, however, now proved to be the price of the Church's support of the usurper, and indeed it must soon have appeared to all that the principle of socialism lay at the root of the new doctrine. The Statute of Heresy was passed in 1401 at the intercession of Archbishop Arundel. By this statute all schoolmasters and preachers of heresy, writers, and even owners of heretical books were ordered to be arrested and imprisoned at the King's pleasure, and failing recantation they were to be burned at the stake on a high place in sight of the people. William Sautré, a priest of Lynn, was the first victim of the statute, and in later years (1410) John Badly, of Evesham, was burned as a heretic in the presence of the young Prince of Wales, on his refusal to acknowledge the doctrine of transubstantiation. (*Fæd.* viii. 178 and 627; *Rot. Parl.* iii. 459.)

Meanwhile the unsettled state of the country was taken advantage of by the Welsh under Glyndwr. The wild Welshmen at first met with success, but on

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1400-1. *Pat. Roll*, 2 Henry IV. m. 8. "Grant to John Fraunceys, Serjeant of the Farriery of the King, to be bailiff of the Rape of Hastings, and keeper of the forest of Dalington, in the Rape of Hastings, in the county of Sussex, for life." His name, however, does not appear in the subsidy roll 13 Henry IV.

In the year of our Lord, 1400. On the 13th day of June, in the year of our Lord abovesaid, Sir William Repyngtone, Chaplain, was admitted to the vacant prebend of Marlepas, in the Royal Chapel of Hastings, in the diocese of Chichester, at the presentation of the most excellent Prince and lord in Christ, Lord Henry, King of England and France, and Lord of Ireland, and in the person of John Wiline, properly constituted his proxy in this behalf, was canonically instituted in the same with all its rights and appurtenances, and he swore obedience to the lord [Bishop] and his servants in lawful and canonical commands. Letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{4}{14}$ .)

The 27th day of November, in the year of our Lord abovesaid, Sir Thomas Colne, otherwise Gerardus, was admitted to the perpetual vicarage of the parish church of Hoo, vacant by the voluntary resignation of Sir John Astyl, the last vicar of the same, by reason of an exchange to be made of the same for the perpetual vicarage of the parish church of Lynstede, in the diocese of Canterbury, which he held previously at the presentation of the discreet men, Nicholas Mokkinge, Salomon Haywode, and Thomas Standone, canons of the Royal Chapel of Hastyngs; and he was canonically instituted in the same, and undertook obedience to the lord [Bishop] and his servants. And letters were written to the Archdeacon of Lewes and his Official to induct. (*Ch. Mis. R.*  $\frac{4}{14}$ .)

In the year of our Lord, 1401. The 10th day of March, in the year of our Lord abovesaid, Sir Thomas Botellere was admitted to the vacant prebend of Brythlyng in the Royal Chapel of Hastyngs, at the presentation of our most excellent prince and lord, Lord Henry, by the grace of God King of England and France, and was canonically instituted prebendary in the same, and undertook obedience to the lord [Bishop] and his servants. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{4}{14}$ .)

On the 16th day of the same month, in the year of our Lord abovesaid, Sir William Fortho, in the person of Sir Thomas Boytone, his proxy in this behalf properly constituted, was admitted



## Admissions to the Prebends

June 22nd, 1402, they were defeated at Nesbit Moor, by the Earl of Northumberland. On September 14th, 1402, Hotspur, the Earl's son, defeated the Scots at Homildon Hill, and captured Earl Douglas and many other noble knights. In February, 1403, Henry married, as his second wife, Joan of Navarre, widow of the

to the perpetual vicarage of Nenefeld, vacant by the voluntary resignation of Sir Walter Robert, the last vicar of the same, by reason of an exchange of the same to be made with him for the vicarage of the parish church of Aldham, in the diocese of London, which he held previously, at the presentation of the venerable men, Nicholas Makking, Thomas Standone and Salomon Haywode, canons of the collegiate church of Hastyngs and prebendaries of Wertlyng, Nenefeld and Hoo, true patrons of the church of Nenefeld; he was canonically instituted perpetual vicar in the same by reason and on account of the exchange aforesaid; with the condition of residing personally and continually in the same in accordance with the tenour of the constitutions of Lords Otho and Octobonus, formerly English legates of the Apostolic See, and undertook obedience to the lord [Bishop], and his servants in due form. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{3}{4}$ .)

On the 8th day of May, in the year of our Lord abovesaid, Thomas Prestone, chaplain, was admitted to the prebend of Marlepas in the Royal Chapel of Hastyngs, vacant by the resignation of Simon Hoke, clerk, the last prebendary of the same; he undertook obedience to the lord [Bishop], etc. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{3}{4}$ .)

In the year of our Lord, 1402. In the month of August, in the year of our Lord abovesaid, at Ambirle, Edmund Lacy, chaplain, was admitted to the vacant prebend of Bryghtlyng, in the Chapel of Hastyngs, at the presentation of our most excellent prince and lord in Christ, Lord Henry, by the grace of God illustrious King of England and France, and Lord of Ireland; and he was canonically instituted prebendary in the same with all its rights and appurtenances, in the person of Robert Assfeld, his proxy in this behalf properly constituted, who undertook obedience to the lord [Bishop] in the name of his master. And certificate was made to the Chancellor of his being duly admitted (*de admissi benefacta* [sic]). (*Ch. Mis. R.*  $\frac{3}{4}$ .)

On the 10th day of November, in the year of our Lord abovesaid, at London, the lord [Bishop] wrote to the Dean and Chapter of London to arrange an exchange between Sir John Tytylshyde, perpetual vicar of the parish church of Furnespelham, in the diocese of London, and Sir William Fortho, vicar of the prebendal church of Nenefeld, in the diocese of Chichester, desiring mutually to exchange their said benefices; and the said Dean and Chapter afterwards certified they had settled the said exchange, and the resignation of the aforesaid William of the vicarage of Nenefeld aforesaid being received by them, by reason and on account of the said exchange they had admitted the aforesaid Sir John to the same at the presentation of Nicholas Mokkinge, Salomon Haywode, and Thomas Standone, and instituted him perpetual vicar [in the same] with all its rights and appurtenances, he swearing to reside corporally and continually therein in accordance with the tenour of the constitutions of Lords Otho and Octobonus, formerly English legates of the Apostolic See, in this behalf published. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{3}{4}$ .)

On the 26th day of January, in the year of our Lord abovesaid, in the lord's [Bishop's] lodging in London, Sir John Shonclere, chaplain, was admitted to the perpetual vicarage of the parish church of Hoo, in the diocese of Chichester, vacant by the simple resignation of Sir William Preston, last vicar of the same, at the presentation of Sir Nicholas Mokking, Sir Thomas Standon and Sir Salomon Haywode, canons of the Royal Chapel of Hastyngs, true patrons of the same, and was canonically instituted perpetual vicar in the same, and undertook obedience to the lord [Bishop]. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis.*  $\frac{3}{4}$ .)

In the year of our Lord, 1403. The 21st day of June, in the year of our Lord abovesaid, Sir William Clerk, chaplain, was admitted to the perpetual vicarage of the parish church of Holingtone, vacant by the simple resignation of Sir William Smyth, the last vicar of the same, at the presentation of Sir William Ilkettesale, prebendary of Holingtone, true patron of the said vicarage, and was canonically instituted perpetual vicar in the same with all its rights and appurtenances, and he swore to reside corporally and continually in the same, in accordance with the tenour of the constitutions of Lords Otho and Octobonus, formerly English legates of the Apostolic See, in this behalf published, and undertook obedience to the lord [Bishop] in due form. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{3}{4}$ .)

## Death of William of Wykeham, 1404

late Duke of Brittany (sometime Earl of Richmond). On July 22nd, 1403, the Earl of Westmoreland was commissioned to raise men to subdue the Earl of Northumberland and his son Hotspur, who had broken out into open rebellion because they were not allowed to accept a ransom for Earl Douglas. The rebels were defeated at Hateley Field, near Shrewsbury (July 21st, 1403) before they could effect a junction with Glyndwr's Welsh. In 1403 Waleran, Count of St. Pol, and the Duke of Orleans sent an insolent letter of defiance to Henry, who wrote to the Council of Regents in France, expressing his astonishment that such hare-brained youths should be permitted to break through truces. They actually burnt Plymouth and ravaged the Isle of Wight, demanding tribute for Richard, the late King. On this occasion the King wrote to Sir John Pelham from Coventry, informing him that the Count of St. Pol was on the seas near the Isle of Wight with a great force; and he therefore desired him to muster against the invader as large a force as he could raise. The Count was eventually driven off (May, 1405), and returned to Paris. In 1404 Sir John Pelham and Lord Furnival were appointed treasurers of war by the "Unlearned Parliament." William of Wykeham, Bishop of Winchester, for a short time prebendary of one portion of the Wertling prebends,<sup>1</sup> died in the autumn of 1404. At the end of the year a futile attempt was made to carry off Edward, Earl of March, and his brother, who were confined at Windsor; and the Duke of York, having been arrested for supposed complicity in the affair, was committed to the custody of Sir John Pelham at Pevensey Castle. There is still preserved a petition, dated March 22nd, 1405, by Philippa, Duchess of York, requesting the King to make some allowance to her husband, then in the custody of Sir John Pelham at Pevensey Castle.<sup>2</sup> (*Fæd.* viii. 388; Walsingham, ii. 274; Otterburne, 260; *Eulog. Hist.* iii. 402).

On the same day the Duke requested the lords of the Council to mediate with the King for him, as he had been in prison for seventeen weeks. His property had been seized by the King's escheators. He seems to have been released by the following June, and so far received back into grace that he was employed by the Government (*Ordinances*, i. 270). In June, 1405, another conspiracy broke out, headed by the Earl of Northumberland, who was joined by the Earl Marshal (Mowbray), and Scrope, Archbishop of York. The King's army, under the command of the Earl of Westmoreland, met the forces of Mowbray and Scrope at Skipton Moor. Westmoreland requested a parley with the rebel chiefs, and received them in so friendly a manner that they were entirely misled, and dismissed their troops under the delusion that an amicable settlement had been effected. Thereupon Westmoreland treacherously seized the Bishop and the Earl Marshal, and they were shortly afterwards beheaded at York without a fair trial, Judge Gascoigne refusing to sanction the proceedings. The commencement of the breakdown in Henry's health about this time was afterwards viewed as a judgment of Heaven upon him for his treatment of the Archbishop.

In this year Prince James of Scotland, who was journeying to France, whither he had been sent by King Robert of Scotland, partly to be educated and partly to be safe from the wiles and treasons of his uncle Robert, Duke of Albany, landed on the east coast of England, being overcome by stress of weather and violent sickness. Although a truce existed with Scotland, Henry detained the weather-

<sup>1</sup> See *ante*, page 207.

<sup>2</sup> See *ante*, page 228.



## Sir John Pelham a Treasurer for War

bound traveller, and in answer to King Robert's request to allow James to resume his journey, in order that his education might be carried on, Henry is said to have answered, "My fair cousin need travel no farther for that; for I can speak French." This cruel treatment is thought to have shortened the days of the Scottish King. We shall hereafter find the young prince, then King of Scotland, as a prisoner in the hands of Sir John de Pelham.

On March 22nd, 1406, Henry, Bishop of Winchester, Thomas, Lord de Camoys, John de Northbury, and John Caterwyk, Treasurer of Lincoln, were empowered to treat for a truce with France (*Fæd.* viii. 432). Meanwhile the Commons were extremely dissatisfied with the wastefulness of the Court, and insisted upon the dismissal of the Breton hangers-on. The Commons further demanded the audit of Pelham's and Furnival's accounts. Henry replied that it was unusual for Kings to render accounts, and the ministers frankly declared that they did not know how to do it. However, on December 22nd, the King gave instructions to auditors to pass the accounts.

The year 1407 saw another of those terrible visitations of the plague which desolated the country, and these visitations are said to have cost England periodically no less than 30,000 lives.

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In the year of our Lord, 1404. The 27th day of March, in the year of our Lord abovesaid, at Duryngewyke, Sir John Serles, chaplain, was admitted to the vacant perpetual vicarage of the parish church of Nenefeld, at the presentation of Master Nicholas Mokkyng, Thomas Standon and Salomon Haywode, canons of the lord King's Chapel of Hastyngs, and was canonically instituted perpetual vicar in the same with all its rights and appurtenances, and swore to reside corporally and continually therein, in accordance with the tenour of the constitutions of Lords Otho and Octobonus, formerly English legates of the Apostolic See, in this behalf published; and he swore obedience to the lord [Bishop], etc. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.* 34.)

The 17th day of July, in the place and year of our Lord abovesaid, the lord [Bishop] heard, examined, and discussed at large the causes of an exchange to be made between Sir John Burtone, rector of the parish church of Tetelescombe, and Sir John Baker, vicar of the parish church of Wertlyng, in his diocese, desiring mutually to exchange their said benefices according to the canon. And after he had received the resignation of both of them in this behalf, by reason and on account of the said exchange, to be made as set forth above, the said Sir John Baker was admitted to the parish church of Tetelescombe, and at the presentation of the religious men, the Abbot and Convent of Hyde, in the diocese of Winchester, was canonically instituted rector in the same with all its rights and appurtenances, and the said John Burtone, on the other hand, was admitted to the vicarage of the parish church of Wertlyng, vacant by reason and on account of the aforesaid exchange, at the presentation of Master Nicholas Mokkyng, Thomas Standon, and Salomon Haywode, prebendaries of Wertlyng, Nenefield and Hoo, and was canonically instituted perpetual vicar in the same, with all its rights and appurtenances, and swore to reside corporally and continually in the same in accordance with the tenour of the constitutions of Lords Otho and Octobonus, formerly English legates of the Apostolic See, in this behalf published; and he swore obedience to the lord [Bishop], etc. And separate letters were written to the Archdeacon of Lewes or his Official to induct both of them. (*Ch. Mis. R.* 34.)

The 30th day of August, in the year of our Lord abovesaid, and in the said place, Sir Thomas Sowthwell, chaplain, was admitted to the prebend which Thomas Preston, deceased, held in the Royal Chapel of Hastyngs, at the presentation of our most excellent prince in Christ and lord, Lord Henry, by the grace of God illustrious King of England and France, [and], in the person of Thomas Byngham, his proxy in this behalf lawfully constituted, was canonically instituted prebendary in the same, with all its rights and appurtenances; and the said proxy undertook obedience to the lord [Bishop], etc., in the soul of his lord. And letters were written to the Archdeacon of Lewes or his Official to induct. And a certificate was sent to the Chancellor of England of his admission. (*Ch. Mis. R.* 34.)

1406-7. *Patent Roll*, 8 Henry IV. A full confirmation was granted to the canons of

## Grant of the Rape to John of Norbury, 1408

On February 21st, 1408, Henry assigned, for the expense of his household, the profits from the alien priories, the temporalities from the vacant bishoprics, and religious houses, wards, marriages, forfeitures, escapes, and fee farms (*Fœd. O.* viii. 510).

In February, 1408, the old Earl of Northumberland made one more desperate attempt at rebellion, and fell on the field of Bramham Moor. In the same year the Earl of Westmoreland who, as we have seen, held a life-interest in the Earldom and Honour of Richmond, granted his interest in the Rape of Hastings (at that time accounted as parcel of the Honour of Richmond) to John Norbury in the following words :—

GRANT OF THE RAPE OF HASTINGS BY RALPH NEVILL, EARL OF WESTMORELAND, TO  
JOHN NORBURY, ESQUIRE. (9 *Henry IV.* March 12, 1408.)  
British Museum, *Add. Charters*, 29,977.

To all the faithful of Christ to whom this present charter shall come, Ralph de Nevill, Earl of Westmoreland and Marshal of England, Greeting in the Lord. As our most excellent Prince, Lord Henry the Fourth, King of England and France, and Lord of Ireland, by his letters patent of his special grace hath given and granted to us the aforesaid Earl, the castle, county, honour and lordship of Richemond, to have for the term of our life, together with all manner of castles, honours, lands, etc., and other possessions and appurtenances whatsoever belonging or pertaining to the said castle, county, honour, and lordship whatsoever and wheresoever, so freely and wholly as John, Duke of Brittany, or any of his ancestors better and more freely had and held them as in

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Hastings of divers things granted by Henry, formerly Count of Eu, as in the charter of inspeximus dated 22 Edward I. (see p. 59).

In the year of our Lord, 1406. On the 14th day of May, in the year of our Lord abovesaid, the lord [Bishop] granted to Sir Thomas Byteryng, priest, the perpetual vicarage of the parish church of Wertlyng, in the diocese of Chichester, vacant and in his gift by right accruing, and canonically instituted him perpetual vicar in the same with all its rights and appurtenances, and he swore to reside corporally and continually in the said vicarage in accordance with the tenour of the constitutions of Lords Otho and Octobonus, formerly English legates of the Apostolic See, in this behalf published, and likewise undertook obedience to the lord [Bishop]. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.* 34.)

To the venerable father and lord in Christ, Lord Robert, by the grace of God Bishop of Chichester, the Chapter of the Cathedral Church of York (the Dean thereof being engaged in distant parts, and the Archiepiscopal See being vacant), reverence and honour due to so great a father. We have received your letters of commission in these words : Robert, by divine permission Bishop of Chichester, to the venerable and highly discreet man, the Lord Guardian of the Spiritualities of the Archbishopric of York during the vacancy of that See, Greeting in the Saviour of all men. Whereas our well-beloved in Christ, Sir William Aghton, prebendary of the prebend of Stone, in the Royal Chapel of Hastyngs, in our diocese, and John Messenger, prebendary of the prebend of Halington,<sup>1</sup> in the Collegiate Church of Southwell, in the diocese of York, desiring, as they say, mutually to exchange these their benefices in accordance with the canon, provided the consent and authority of those whom it concerneth should be obtained, we, being hindered by various and arduous matters from being able to attend to the settlement of this exchange, to hear, examine and discuss at large the causes and business of the exchange aforesaid, and to approve the said causes after finding them true and lawful, and to authorize the aforesaid exchange ; and, when you on our behalf and by our authority should have accepted the resignation by the said William of the prebend of Stone aforesaid, to admit the said Sir John Messenger to the same, to which he is presented to us by the presentation of our most excellent prince and lord in Christ, Lord Henry, by the grace of God illustrious King of England and France, and Lord of Ireland, true patron of the said prebend of Stone, by reason and on account of this exchange, and to canonically institute him in the same by reason of the aforesaid exchange and to do, execute, and settle all and singular the other things necessary or in any way desirable in the business of

<sup>1</sup> *i.e.*, Halloughton in Southwell.



## John of Norbury

the aforesaid letters of our lord the King theretofor granted to us more fully appeareth. Know ye that we the aforesaid Ralph de Nevill, Earl, have demised, surrendered, and by this our present charter confirmed to John Norbury, Esquire, the manors of Crowherst, Burwassh, and Benylham, with appurtenances, in the county of Sussex, together with the Rape of Hastynges in the aforesaid county; also the manor of Chesthunte with appurtenances in the county of Hertford, and all our estate which we have in the same, together with the honours, lordships, lands, etc.; also returns of writs, with all manner of offices, and other mandates of our lord the King and the executions of the same, and with all liberties and franchises and other profits whatsoever pertaining or belonging to the same manors or Rape or any parcel of the same in any way whatever, so fully, freely and wholly as we lately had them of the gift and grant of our said lord the King; which manors and Rape, with appurtenances, are parcel of the castle, county, honour, and lordship of Richemond aforesaid. To have and to hold all the aforesaid manors and Rape, with all their appurtenances abovesaid, together with returns of writs and other mandates of our lord the King and the executions of the same, and all our estate which we have in the same to the aforesaid John Norbury, his heirs and assigns, from the feast of St. Michael last past before the date of these presents for the term of our life, together with all issues and profits thereof from the said feast of St. Michael to the date of these presents received or to be received. In testimony whereof to this our present charter we have appended our seal. Dated the twelfth day of March, in the ninth year of the reign of our said Lord Henry the Fourth since the Conquest. (1408, Latin.)

Of this John Norbury little is to be said. He seems to have been a busy politician under Edward III., Richard II., and Henry IV. (see note, June 21st, 1465, *post*) and occasional references concerning him from the records have already been given.

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the said exchange, [we, therefore,] specially reserving to ourselves the induction of the said Sir John in the corporal possession of the prebend of Stone aforesaid, and his canonical obedience, commit our duties to you, earnestly begging you, if you please to accept the burden of our commission, to certify us, as soon as the matter is settled, of all your proceedings in this behalf to be had before you, by your letters patent, containing the form of these [our letters,] and sealed with your seal. Given in our lodging in London, under our seal, the 4th day of April, in the year of our Lord, 1406, and in the 10th year of our translation. We therefore, proceeding lawfully in the business of this exchange both by your authority in this behalf committed to us, and by our own ordinary authority, have heard, examined and discussed at large the causes and business of the exchange aforesaid, and finding these causes true and lawful, have approved the same and authorized the said exchange; and, having received in your stead and by your authority the resignation by the said Sir William of the prebend of Stone aforesaid, have admitted the aforesaid Sir John into the same to which he is presented by our most excellent prince and lord in Christ, Lord Henry, by the grace of God illustrious King of England and France, and Lord of Ireland, true patron of the said prebend, as is reported to you; and by reason of the exchange aforesaid have, in your stead and by your authority as aforesaid, invested him actually as prebendary of the said prebend therein, and done and settled all and singular the things necessary or desirable in the business of the said exchange, specially reserving to you, nevertheless, the induction of the said John into corporal possession of the prebend of Stone, and also his canonical obedience. The which, all and singular at this time, at the instance of your request, we report to you by these presents, sealed with our hanging seal. Given in our Chapter at York, the 17th day of April, in the year of our Lord abovesaid. And afterwards, on the 18th day of July, at Amburle, the said John Messenger undertook obedience to the lord [Bishop], etc. And letters were written to the Archdeacon of Lewes or his Official to induct him in the person of Nicholas Selewyn, junior, his proxy, into corporal possession of the prebend of Stone aforesaid. (*Ch. Mis. R.*  $\frac{3}{4}$ .)

In the year of our Lord, 1407. The 3rd of May, in the year of our Lord abovesaid, Master Hugh Holbache was admitted to the vacant prebend of Wertyleng, Nenefeld, and Hoo, in the Royal Chapel of Hastyngs, at the presentation of our most excellent prince and lord, Lord Henry, by the grace of God illustrious King of England and France, and Lord of Ireland, and was canonically instituted canon in the same with all its rights and appurtenances, and undertook obedience to the lord [Bishop]. And a certificate of his admission was sent to the Lord King. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{3}{4}$ .)

In the year of our Lord, 1408. The 4th day of May, in the year of our Lord abovesaid, Master Henry Rumworth, in the person of William Byngham, his proxy, was admitted to the vacant

## Decay of the Collegiate Church

The decline of the Collegiate Church, of which some of the preceding documents of the reign of Edward III. furnish so lively a picture, continued to increase during the reign of his successor, Richard II., till towards the beginning of the reign of Henry IV., at which period its affairs appear to have reached almost the climax of derangement.

Few of the canons resided at the castle, although the deanery and prebendal houses had been rebuilt for their accommodation. The college income, which had originally sufficed to maintain an extensive ecclesiastical establishment, had become not only inadequate for that purpose, but was scarcely sufficient for the support of the college buildings, and for the provision of the ornaments, lights, and other expenses of the church itself. These, with other particulars, are stated in a mandate (11 Henry IV.) addressed to the resident ministers of the college in consequence of a visitation which had then recently been made by the King's commissioners, and of which mandate the following is a translation:—

### SAINT MARY, HASTINGES.

#### *For the Vicars of the King's Free Chapel of Hastynges.*

The King to his beloved clerk, Master John de Kyngston, and to his beloved John de Wandestre, canons of our free chapel of Hastynges, Greeting. Know ye, that whereas before you, the aforesaid John de Kyngston, lately assigned one of our commissioners to visit our aforesaid chapel, as well in chief as in its members, it was found—

That the chapel aforesaid hath been anciently accustomed to be honourably served in divine offices by a worthy number of ecclesiastical ministers, and that in these days the rents, profits and emoluments belonging in common to the chapel aforesaid, with the oblations of the faithful, yearly made in the same, are so scanty that they are scarcely sufficient for the repair and support

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deanery of Hastyngs, and was canonically instituted in the same, with all its rights and appurtenances. And this William Byngham, his proxy, undertook obedience to the lord (Bishop) in his master's name, and a certificate of his admission and institution was sent to the King. (*Ch. Mis. R.*  $\frac{4}{4}$ ).

On the 16th of the same month, in the year of our Lord abovesaid, Sir Thomas Norberton, in the person of Thomas atte Lee, his proxy, was admitted to the perpetual vicarage of the parish church of Wertlyng, vacant by the resignation of Sir Thomas Bettryng, the last vicar thereof, by reason of an exchange made of the parish church of Echyngham, in the diocese of Chichester, with the said vicarage, to which he is presented by the venerable men, Masters Nicholas Mokkyng, Hugh Holbache, and Sir Salomon Haywode, the true patrons of the said vicarage, and was canonically instituted in the same, with all its rights, etc. And this proxy undertook obedience to the lord [Bishop] in his master's name. And letters were written to the Archdeacon of Lewes for his induction. (*Ch. Mis. R.*  $\frac{4}{4}$ ).

On the 23rd day of October, in the year of our Lord abovesaid, John Wandestr was admitted to the vacant third part of the prebend of Wertlyng, Nenefeld, and Hoo, in the Royal Chapel of Hastyngs, which Master Hugh Holbache lately held, at the presentation of our illustrious prince and lord, Lord Henry, by the grace of God King of England and France, true patron thereof, and was canonically instituted prebendary in the same, with its rights and appurtenances, etc. And a certificate was sent to the Chancellor of England of his admission. (*Ch. Mis. R.*  $\frac{2}{4}$ ).

In the year of our Lord, 1409. The 20th day of March, in the year of our Lord abovesaid, Sir Richard Shrousbury was admitted to the perpetual vicarage of Wertlyng, and was canonically instituted, etc. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{4}{4}$ ).

The 13th day of August, in the year of our Lord abovesaid, the lord [Bishop] of Chichester wrote and committed his functions to the reverend father and lord in Christ, Lord Henry, by the grace of God Bishop of Winchester, to hear, examine, and discuss at large the causes and business of an exchange to be made between Sir William Morley, rector of the parish church of Colmere, in the diocese of Winchester, and Sir John Fakenham, vicar of the parish church of Salehurst, in the diocese of Chichester, desiring mutually to exchange their said benefices accord-



## Visitation of the Chapel, 1410

of the chapel aforesaid, and for the vestments, ornaments, and books of the said chapel, and of the houses newly erected for the habitation of the vicars and chaplains within our Castle of Hastings, and for finding lights for the said chapel, and in no wise for the annual stipends of the vicars, chaplains, clerks, and ministers of the chapel aforesaid, ministering divine offices in the same.

And you, the aforesaid John de Kyngston, duly weighing the premises, and being willing in your aforesaid visitation, to order and provide for the stipends and sustentation of the vicars, chaplains, clerks, and ministers aforesaid to the praise of the Most High, and of his undefiled Mother, in whose honour the chapel aforesaid is founded, by our royal authority did establish and ordain, and did decree the statutes and ordinances aforesaid to be for ever observed, that every canon prebendal of certain prebends of the said chapel in the said statute and ordinance contained, who should thenceforth for the time being be non-resident in the same, during their absence should be bound and firmly enjoined to pay certain reasonable and moderate pensions out of their prebends (regard being had to the yearly values of every their prebends) to the support of the vicars, chaplains, clerks, and ministers aforesaid for ever, as we are informed.

And now we have understood that certain canons prebendal of such prebends of the said chapel do unjustly refuse to pay such pensions so by you assessed upon them according to the form of your visitation, although they were not resident in the same chapel during their absence, in contempt of us, and to the damage of the vicars, chaplains, clerks, and ministers, and to the pernicious example of other such prebendaries, and also contrary to the statute and ordinances aforesaid.

We, considering those statutes to be to the praise of God and of his Glorious Mother, and of the increase of Divine worship, and being willing, as far as we are able, that the same should be inviolably observed, Have assigned you and either of you, by the best means of which you know or are able to inform yourselves, of all and singular the prebendaries of the said chapel, who according to the form of the visitation aforesaid are bound to pay such pensions during their absence, and also to sequester all the fruits, rents, profits, and emoluments in what manner, or howsoever belonging or pertaining, to the prebend of every of the said prebendaries so being absent, and refusing to pay such pensions : and cause the same to be safely and securely kept, so that such prebendary so refusing to pay such pension, set not his hand thereto, until he shall

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ing to the canon ; and, after finding the said causes true and lawful, to approve the same, and to authorize the said exchange ; and also after receiving the resignation by the said Sir John Fakenham of his said vicarage, to admit the said Sir William Morley to the same, to which, by reason and on account of the said exchange, he is presented by the religious men, the Abbot and Convent of the Monastery of the Blessed Mary of Robertsbridge, the true patrons of the said vicarage, and by reason of the said exchange to canonically institute him perpetual vicar in the same, with all its rights and appurtenances, he swearing to reside corporally and continually in the same, in accordance with the tenour of the constitutions of the Lords Otho and Octobonus, formerly English legates of the Apostolic See, in this behalf published ; and to do, execute, and settle all and singular other things necessary or desirable in the business of the said exchange, specially reserving, nevertheless, to the lord [Bishop] of Chichester, the induction of the said Sir William Morley into corporal possession of the said vicarage of Salehurst, and his canonical obedience. And the reverend father certified by his letters patent, dated from his manor of Southwaltham, that he had settled the said exchange, reserving, however, to the lord the things specially referred to in his commission. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis.* 34.)

(9 Henry IV. *Pat. Rolls*, p. 2, m. 21, *indors.*) Sir John Dalingregge, Sir John Pelham, Knight, Robert Oxenbrigg, John Hall, the elder, and John Hall, the younger, were commissioned to supervise the banks upon the seacoast betwixt Hastings and Boxle (Bexhill), within the parishes and towns of Wylting, Holyngton, Boxle, Crowhurst, Hastings, and Bulverhythe, and to transact all things therein according to the law and custom of this realm.

Henry IV. granted to John Pelham, Knight, the Castle of Pevenesey (Pevensey, County Sussex) and the honour of the Egle (Aquila), with all the manors, rents, etc., and all profits, etc., whatsoever, as well within the franchises of the Cinque Ports as without, within the Rape of Pevenesey. Dated with the Seal of the Duchy of Lancaster, at the Palace of Westminster, February 24th, 10 Henry IV. 1409 (?) (*Add. Ch.*, 30,721). *French.*

In 1409-10 the Vicars of the Chapel of Hastings were instructed to inquire as to the repairing of the bridge at Hedecone.

## John VI. Duke of Brittany Tries to Recover the Rape

have fully satisfied such pension so happening. And therefore we command you and either of you that you be diligently attentive about the premises, and make and execute the same in form aforesaid. Also we command, and by the tenour of these presents firmly enjoin, all and singular sheriffs, mayors, constables, bailiffs, ministers, and other our faithful people as well within liberties as without, that they be obedient and attentive to you and either of you, in doing and executing the premises as meet. In testimony whereof witness the King at Westminster, the 12th day of July (11 Henry IV. [1410], P. II., *in dorso*, m. 10).

About this time the Duke of Brittany seems to have sent an embassy to England offering to do homage for the Honour of Richmond (including the Rape of Hastings), which had been forfeited. No notice appears to have been taken of this attempt.

### EMBASSY TO ENGLAND TO DO HOMAGE FOR THE EARLDOM OF RICHMOND (INCLUDING THE RAPE OF HASTINGS.)

(10 Henry IV., October 14th, 1409.)

John, Duke of Brittany, Earl of Montfort and of Richmond, to all who shall see or receive these present letters, Greeting. As by reason of our earldom of Richmond we owe and are bound to do fealty and homage to the King of England, which fealty and homage we have not yet been able to do by reason of the great and long distance and for other certain reasons, and for that our said earldom hath been and is taken and seized into the possession of my most dread lord and father, my lord the King of England who now is. We make it known that we wish to do our duty of the aforesaid homage, trusting fully in the feelings, goodness, and prudence of our well-beloved and loyal First Chamberlain, Armel de Chasteaugiron, whom we have entrusted and deputed and by these present we charge and depute him to set forth the reasons why we have not been able to come and at present are not able to come in person to pay him the said homage and to beg him that, considering this, he should be pleased to allow us to render homage by proxy : and in case that he granteth us this favour, we charge and depute our said Chamberlain to do the said fealty and homage, as they are bound to be done, and also to make all promises, wills, oaths, obligations for us and in our name to my said lord the King to aid him to keep and defend the kingdom of England for him, for his son the Prince, and his other children, against all subjects who should wish to take it from them or to trouble them or prevent them from enjoying the rights of the said kingdom ; and the above homage being thus rendered to make against all who should wish to take away from them or impeach the said kingdom promises, wills, oaths, obligations that we have made and be bound to make by reason of our said earldom, just as if we had in our own person done the said homage and fealty, and we should make if we were in possession of our said earldom, to which things and each of the aforesaid things we have given and do give, by these presents, to our said Chamberlain full power, authority and special mandate from us promising and we promise to have and will have and hold firm and agreed all that shall be done by our said Chamberlain in the said matters, and in each of them, as is said.

Given at the Castle of Elven (near Nantes) the fourteenth day of October, one thousand our hundred and nine. By the Duke.

In 1411 an expedition was sent by Henry to assist the Duke of Burgundy against the Orleanists, resulting in the defeat of the latter at St. Cloud in November of that year, after which the English troops returned ; and in the following year a commission was issued to Sir John Pelham and others to muster the troops sent by the King into Aquitaine under the Duke of Clarence, the King's son, then appointed lieutenant in Aquitaine (*Fœd.* viii. 757-8). The

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In the year of our Lord, 1411. In the month of August, in the year of our Lord aforesaid, Sir William Hawe was admitted to the deanery of the Royal Chapel of Hastings, by the lord [bishop]'s authority, by reason of an exchange made with Master Henry Rumworth, etc. (*Ch. Mis. R.* 24.)

*Rot. Parl.*, 13 Henry IV. In the Parliament holden November 3rd, 1411, a subsidy of 6s. 8d



## Subsidy Roll of the Rape, 1411

expedition resulted in the ravaging of Normandy and Guienne, and ceased on terms being made with the Duke of Orleans.

In the Rape of Hastings the following persons were assessed in respect of the properties mentioned. All the possessions of Sir John Pelham and John Norbury, in Sussex, are contained in the Roll, whether in the Rape or not :—

	£	s.	d.	£	s.	d.
<i>Thomas, Earl of Arundel and Surrey (inter alia)</i> , in respect of Rothirbridge . . . . .					7	10 0
<i>John Pelham</i> , lands, manors, etc., which were lately the Earl Marshal's, and are now in his custody by virtue of a grant of our lord the King, which was worth yearly beyond reprises . . . . .				138	0	0
Namely—the Manor of Bosham . . . . .	80	0	0			
"    "    Stowghton . . . . .	22	0	0			
"    "    Stoke . . . . .	10	0	0			
"    "    Funtyton . . . . .	20	0	0			
"    "    Thorney . . . . .	6	0	0			
Also he hath the manors, which were lately Philip St. Clere's, by reason of the minority of John, son and heir of the said Philip, by grant of our lord the King, and which are worth yearly beyond reprises . . . . .				52	13	4 (sic)
Namely—the Manor of Jevynton . . . . .	16	0	0			
"    "    Heghton . . . . .	20	0	0			
"    "    Lampham . . . . .	7	0	0			
"    "    Notbourne . . . . .	5	0	0			
"    "    Newnham . . . . .	2	13	0			
"    "    Bembilte (Brambletye) . . . . .	2	0	0			
"    "    Lanertye . . . . .	nil	beyond	reprises			
Also he hath the manors of Pelham, Ryvere, and Nutbourne, which are worth yearly . . . . .				66	0	0
Namely—the Manor of Pelham . . . . .	10	0	0			
"    "    Ryvere . . . . .	40	0	0			
"    "    Nutbourne . . . . .	16	0	0			
Also he hath the lordship of Pevensey, with the Manor of Marsefeld and Wilyngdon, which are worth yearly . . . . .				80	0	0 (sic)
Namely—beyond annuities payable to—						
Sir John Cornewaill, knt. . . . .	20	13	4			
Matilda Halsham . . . . .	26	13	4			
Hugh Fraunces . . . . .	13	6	8			
Notyngnam Herald . . . . .	5	0	0			
Derby Herald . . . . .	6	13	4			
Also he hath by grant of our lord the King the manor of Berlyng, which is worth yearly . . . . .				12	0	0
Also he hath the manor of Laughton and West Dene, and (payeth) rents for the same to the Countess of Oxford yearly . . . . .				70	0	0
Namely—for the Manor of Laughton . . . . .	60	0	0			
"    "    West Dene . . . . .	10	0	0			
And they are worth nothing beyond.						
<i>John Taverner (inter alia)</i> , the Manor of Warbulton . . . . .				2	0	0
"    "    Bernham . . . . .				2	0	0

from every man and woman having lands or rent of £20 a year value beyond charges and reprises and other exceptions.

By letters patent dated January 2nd, 13 Henry IV. (1412), Robert Knyvet, John Warnecampe, the Sheriff of Sussex (John Walton) and the escheator (John Yerde) were commissioned to enquire, upon the oaths of honest men, the names of those who were liable for assessment, to be certified to the Exchequer on the morrow of the Sunday after Easter.

# Subsidy Roll of the Rape, 1411

	£	s.	d.	£	s.	d.
<i>John Norbury</i> hath manors, lands, etc., worth yearly, etc. . . . .				120	0	0
Namely—the Manor of Borwersh . . . . .	16	0	0			
"     "    Bevyngthame . . . . .	10	13	4			
"     "    Crowherst . . . . .	13	6	8			
"     "    Petworth . . . . .	40	0	0			
"     "    Dunketon . . . . .	15	0	0			
"     "    Sutton . . . . .	5	0	0			
"     "    Hyhshete . . . . .	20	0	0			
(There were certain annuities payable out of these four last-mentioned in the Roll.)						
<i>Hugh St. John</i> hath the Manor of Bernham, worth yearly. . . . .				20	0	0
<i>John Kirkeby and others</i> (probably trustees of the Westminster family in whose inquisitions, <i>post mortem</i> , these names appear)—						
( <i>Inter alia</i> ), the Manor of Ewherst . . . . .				6	0	0
<i>Joan Dalynregge</i> (wife of Sir John Dalynregge, knight,) hath manors, lands, etc., worth yearly, etc.—				100	0	0
( <i>Inter alia</i> ), the Manor of Bodyham . . . . .				15	0	0
"     "    Hollyngton . . . . .				2	0	0
<i>John Halle, senior</i> , hath manors, lands, etc., worth yearly, etc. . . . .				44	13	4
( <i>Inter alia</i> ), namely—the Manor of Ore . . . . .				8	0	0
"     "    Genesyng . . . . .				5	6	8
"     "    Gestelyng . . . . .				4	0	0
<i>Nicholas Selwyn</i> hath land worth yearly—						
( <i>Inter alia</i> ), Northyham . . . . .				3	6	8
<i>Richard Levet</i> hath land worth yearly ( <i>inter alia</i> ), lands, etc., in Cattisfeld and Yielding . . . . .				10	0	0
<i>Richard atte Dene</i> hath land worth yearly—						
( <i>Inter alia</i> ), lands in Pydynghoe . . . . .				6	13	4
<i>John Waleys</i> hath manors, lands, etc. ( <i>inter alia</i> )—						
In Hawkisberg Hundred . . . . .				6	13	4
<i>Reginald Cobham</i> , of Saint Hill, hath the Manor of Northeye . . . . .				36	0	0
<i>William Lord de Echyngham</i> hath manors and lands worth yearly . . . . .				58	13	4
Namely—the Manor of Echynghame . . . . .	30	0	0			
"     "    Edmere (Udimore) <sup>1</sup> . . . . .	10	0	0			
"     "    Pette . . . . .	8	13	4			
"     "    Pekedene . . . . .	10	0	0			
<i>Robert Oxebrygge</i> hath lands, etc. in Brede worth yearly . . . . .				20	0	0
<i>Vincent Fynche</i> hath manors, lands, etc., worth yearly . . . . .				40	0	0
Namely—the Manor of Ecllyshame (Icklesham) . . . . .	30	0	0			
"     "    Nedirfeld . . . . .	10	0	0			
<i>William Swynbourn</i> hath manors, lands, etc., worth . . . . .				51	6	8
Namely—One-third of the Manor of Mote . . . . .	11	6	8			
With land at Borne and Passhelee . . . . .	40	0	0			
<i>Joan Brenchisle</i> hath manors, lands, etc.—						
( <i>Inter alia</i> ), Bixle . . . . .				10	0	0
<i>John Asshebournhame</i> hath manors, etc. . . . .				40	0	0
Manor of Ewherst . . . . .	20	0	0			
"     "    Lamberhurst . . . . .	20	0	0			
<i>John Asshebournhame</i> hath the Manor of Asshebournhame . . . . .				20	0	0
<i>William Marney and William Marchant</i> , trustees of Swinborne, one-third part of Neole aforesaid . . . . .				8	0	0
<i>John Salerne</i> , the Manor of Lye . . . . .				40	0	0
<i>John Chidecroft</i> hath land at Pesemersh worth . . . . .				10	0	0
<i>Richard Prat</i> hath the Manor of Yden subject to an annuity of £8 to the Countess of Kent, with which the Countess is charged as below, and the manor is worth besides the annuity . . . . .				66	8	0
<i>Countess of Kent</i> hath a certain annuity from the said Manor of Yden as aforesaid . . . . .				8	0	0



## Grant of the Rape to Sir John Pelham, 1412

	£	s.	d.	£	s.	d.
<i>William Breton</i> hath land at Borewersh worth yearly . . . . .	30	0	0			
<i>John Lunsford</i> hath lands in Berwersh worth yearly . . . . .	20	0	0			
<i>Joan de Echynghame</i> hath manors, etc., worth yearly— ( <i>Inter alia</i> ), Monefeld (Mountfield) . . . . .	16	0	0			
<i>Henry Gotlee</i> hath the Manor of Westfeld, etc., worth yearly . . . . .	13	6	8			
<i>William Harbotel</i> hath lands worth yearly . . . . .	30	0	0			
Namely—Filsham . . . . .	20	0	0			
Hamyldene . . . . .	10	0	0			
<i>John Hall, junior</i> , hath the manor of Poplesham (Pepplesham), etc., worth yearly . . . . .	10	0	0			
( <i>Gerard Fyenlees</i> hath manors, lands, etc., 100 acres of land in Horseye.)						
<i>Lady de Hoo</i> hath the Manor of Wortlynge, and rents, lands, etc. in Warbulton and Bokstepe worth yearly . . . . .	60	0	0			
<i>John Colbrond</i> hath lands, etc., in Wortlynge and Bokstepe worth yearly . . . . .	20	0	0			
<i>Isabella Playstede</i> hath land, etc., at Playstede . . . . .	20	0	0			

In the autumn of 1412 Henry, who had long been suffering from a fatal disorder, became much worse. On November 20th, enfeebled in mind and body, and worn out by the troubles of his reign, he called together a Council at Whitefriars, and laid before them a scheme for a crusade. Prominent among the sins which his confessor brought home to him was the "martyrdom of Archbishop Scrope," and his usurpation of the Crown (Capgrave Ch. 303 ; Stowe, 340). On the day following the Council, namely, November 21st, 1412 (14 Henry IV), the King, in consideration of the acceptable services of his faithful servant Sir John Pelham, Knight, granted to him, on the death of Ralph, Earl of Westmoreland, the reversion of the Rape of Hastings, together with the manors of Crowhurst, Burwash, and Bivelham, with all profits and privileges appertaining thereto; to hold as amply as the Dukes of Brittany had before held the same, by the following deed: <sup>1</sup>—

### GRANT OF THE RAPE OF HASTINGS, ETC., TO SIR JOHN PELHAM.

(14 Henry IV.)

Henry, by the Grace of God King of England and France, and Lord of Ireland, to all to whom these present letters shall come, Greeting. Know ye that we of our special grace, and in consideration of the good and acceptable service rendered unto us by our beloved and faithful Sir John Pelham, do give and grant to him the manors of Crowherst, Burwashe, and Bevyllham, with the appurtenances, in the county of Sussex; together with the Rape of Hastings in the said county, which are parcel of the castle, earldom, honour, and lordship of Richmond, which castle, earldom, honour, and lordship indeed we of late by our letters patent did grant unto Ralph, Earl of Westmoreland and Marshal of England, for the term of his life; to have and to hold the said manors of Crowherste, Burwashe, and Bevyllham with appurtenances, together with the aforesaid Rape of Hastings, of us and our heirs or successors, Kings of England, after the death of the said Ralph, Earl of Westmoreland, to the said John Pelham and his heirs for ever; together with the honours, lordships, lands, tenements, rents, parks, closes, hundreds, wapentakes, courts leet, knights' fees, offices, advowsons and patronages of churches, chapels, chantries, and hospitals; as also with return of writs and other mandates, of us and of our aforesaid heirs and successors, and execution of the same, also with the liberties, franchises, and other profits whatsoever, to the said manors and Rape, or any parcel of them whatsoever, pertaining or belonging, in all respects as freely and entirely as John, Duke of Brittany, or any of his predecessors freely had and held the same (the not making express mention herein of the value of the said manors and

<sup>1</sup> The Rape on this occasion was separated from the honour of Richmond and was never thereafter treated as a parcel thereof.

## Grant of the Rape to Sir John Pelham, 1412

other premises, or any gifts or grants by us or our dearest lord and father John, late Duke of Lancaster, deceased, to the same John Pelham before this time made in those presents notwithstanding). In witness, etc., witness myself at Westminster on the twenty-first day of November, in the fourteenth year of our reign. [1412] (*Add. Ch.* 29,972 and 30,045.)

The King lingered on until the next year, and died in the Jerusalem Chamber, Westminster, on March 20th, 1413.

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In the year of our Lord, 1412. On the 8th day of February, in the year of our Lord abovesaid, Sir Richard Bolton, chaplain, was admitted to the vacant prebend of Holyngtone, in the Royal Chapel of Hastings, in the diocese of Chichester, to which he is presented by our most excellent prince and lord, Lord Henry, by the grace of God King of England and France, and was canonically instituted canon in the same, with all its rights and appurtenances, and undertook obedience, and a certificate of his admission, etc., was sent to the King. (*Ch. Mis. R.*  $\frac{1}{24}$ .)

In the year of our Lord, 1413. On the 18th day of March, in the year of our Lord abovesaid, Sir Richard Noreys was admitted to the perpetual vicarage of the parish church of Odymere, vacant by the resignation of Sir John Rauf, the last vicar of the same, at the presentation of the religious men, the Abbot and Convent of the Monastery of the Blessed Mary of Robertsbridge; he was canonically instituted perpetual vicar in the same, with all its rights and appurtenances, and undertook obedience to the lord [Bishop], etc. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{1}{34}$ .)



## CHAPTER XIV

### HENRY V



HE new King was crowned on April 9th, 1413. His first Parliament dealt with the important subject of national defence, which had been neglected in the last reign, a fifteenth and a tenth now being granted for the "keeping of the sea."

In the first year of the King's reign Sir John Pelham was a Privy Councillor, and the King's ambassador at the French Court. In the second year of his reign Henry committed to Sir John's custody King James of Scotland, who had been made a prisoner in 1405 under circumstances before related. The following Grant shows the esteem in which he was held by the King.

GRANT THAT SIR JOHN PELHAM MIGHT HAVE THE CUSTODY OF THE KING OF SCOTS, ETC.  
(*Anno 2 Henry V.*)<sup>1</sup>

Henry, by the grace of God King of England, etc. To all to whom these present letters may come, Greeting. Know ye that whereas we have committed unto our beloved and faithful Sir John Pelham, Knight, the custody and government of James, King of Scotland, during our pleasure, We, in consideration of the same, do grant unto the same John for the sustentation of the said King, and providing food, raiment, and such other necessities as may be needful, the sum of seventy pounds to be received each year while the said John shall have the custody and government of the said King in certain places, as between our Council and the said John may be agreed upon at the terms of Easter, Midsummer, Michaelmas, and Christmas by equal portions. In witness, etc. Witness the King at Westminster, February 22nd, in the second year of his reign.

[*Note.*—This prince was probably confined in Sir John's Castle of Pevensey. He was ransomed in 1424 at the cost of £40,000. In supposed allusion to this and other notable captives over whom he exercised custody his successor, Sir John de Pelham, used as a crest or badge a *cage* besides the badge of the *buckle*. (A fine specimen [1469] is figured in Mr. M. A. Lower's paper. *Sx. Archl. Coll.* vol. iii. p. 220.)]

Archbishop Arundel began a crusade against the Lollards, Sir John Oldcastle being cited by him as their chief. He was condemned as a heretic, and committed to the Tower of London: his escape from prison threw the country into a state of alarm, a rising of the Lollards being apprehended. The prompt action of the royal Council prevented a meeting of Oldcastle's supporters in St. Giles's Fields, and many of the leaders of the movement were arrested on the spot, and executed. Oldcastle escaped for a time, but was recaptured and beheaded on December 14th, 1417.

<sup>1</sup> This custody is made one of the conditions for granting to Sir Thomas Pelham a new Patent of Rape by James I. see *post*.

*Note.*—July 15th, 1413. Orders were issued to roof the houses of Calais with slate. (*Fæd.* ix. 39.)

On the 27th day of May, in the year of our Lord abovesaid, Sir John Prentys was admitted to the prebend of Stone in the Royal Chapel of Hastyngs, vacant and in the presentation of the

## Sir John Pelham Commissioner for War, 1415

The Archbishop died in February, 1414. At the Leicester parliament, the Duke of York, who had been imprisoned at Pevensey under Pelham in the last reign, was now declared loyal.

On the petition of the Commons Henry took all the property of the alien monasteries into his hands in perpetuity. The convents of Sheen and Sion had lately been founded by the King, and he endowed the convent of Sion with the possessions of the abbey of Fécamp. Among the possessions of this abbey, since the days of the Confessor, had been the manor of Brede at and near Hastings (see Domesday), and up to the time of the dissolution of the monasteries in the reign of Henry VIII. this manor was held by the convent of Sion.<sup>1</sup> In 1486 (July 7th), 1 Henry VII., an inspeximus and confirmation of the charter of this abbey was granted (see also P. 5, m. 14, December 16th, 1 Edward IV.; and P. 4 m. 20, February 8th 4 Edward IV.), confirming the grant (among other numerous possessions) "of the manors of Steynges, Brede, Wormynghurst, county Sussex, once belonging to the alien abbey of Fécamp, and the advowsons of the churches of St. Clement and All Saints in the town of Hastings, of the church of Brede and St. Leonard and Iham (New Winchelsea), and of the hospital of Playden to the said abbey once appertaining."

On May 31st, 1414, a power was granted among others to Sir John Pelham to treat with the King of France for Henry's marriage with the French King's daughter, or for restitution of his "inheritance" as he was pleased to term the Kingdom of France. (*Fœd. O.* ix. 131.)

In April, 1415, by the desire of Parliament, Henry renewed the old claim to the French crown, and on April 16th he resolved to declare war. Sir John Pelham, as commissioner for war, was now actively employed in raising and fitting out the English troops both for offence and defence; but he seems to have been too busy to join the expedition personally. He was appointed commissioner to array all the men capable of bearing arms, hoblers, and archers in Sussex, for the defence of the realm during the King's absence abroad, and to be in readiness to repulse and expel an invader, as well as to go beyond the seas if necessity required. He was also to superintend the embarkation of the royal army and the supply of provisions. (*Rot. Parl.* 3 Henry V. p. 2, m. 37.) He thereupon granted the office of Constable of Pevensey to his son, John Pelham.

The King, who in June went to the coast to superintend the fitting out of

<sup>1</sup> In the Chamberlain's account (Hastings' Corporation Document), 1645-46, appears a payment to the Steward of the manor of Brede in respect of an Old Town Hall, Hastings, afterwards the old gaol in Bourne Street, of a free rent there as follows:—"To the Lord of Bread (Breed) for the manor of Syon, 5s."

most excellent prince Lord Henry, by the grace of God illustrious King of England and France, and was canonically instituted prebendary in the same with all its rights and appurtenances, and undertook obedience to the lord [Bishop] and his servants. And letters were written to the Chancellor of England as to his admission, etc. (*Ch. Mis. R.*  $\frac{3}{4}$ .)

In the year of our Lord, 1414. On the 6th day of April, in the year of our Lord abovesaid, Master David Pryce was admitted to the prebend of Brythlyng, in the Royal Chapel of Hastyngs, in the diocese of Chichester, vacant by the resignation of Edmund Lacy, the last prebendary thereof, to which he is presented to the lord [bishop] by the most excellent prince Lord Henry, by the grace of God illustrious King of England and France, and was canonically instituted prebendary in the same, with all its rights and appurtenances. And a certificate was sent to the King of his admission. (*Ch. Mis. R.*  $\frac{3}{4}$ .)



## Sussex Men at Agincourt, 1415

his fleet, made his will at Southampton on July 24th, 1415. Among the long list of witnesses appear the names of Ralph, Earl of Westmoreland, and John Norbury. On August 11th the expedition set sail for France. Harfleur fell to the English on September 22nd, and, driven northwards into Picardy on October 25th, Henry fought and gloriously won, against almost overwhelming odds, the ever memorable battle of Agincourt. Sir John Pelham's old prisoner, the Duke of York, proved manfully his loyalty in the fight, and fell on the battlefield. His body was brought home and buried at St. Paul's Cathedral in London.<sup>1</sup>

### LIST OF THOSE OF THE SUSSEX COMPANIES WHO FOUGHT AT AGINCOURT.

We find among the retinue of Lord Camoys at the battle of Agincourt October 25th, 1415, that there were, according to the Records of the Exchequer, (*Q.R. Mis.*, Army Henry V., parcel  $\frac{58}{19 \cdot 20}$ .)

KNIGHT.—Thomas Hoo, and also the following :—

#### SUSSEX MEN-AT-ARMS.

Thomas Leget.	John Poling.	John Hoo (? younger brother of
William Camvyle.	John Trussell.	Sir Thomas Hoo) and
John Belestede.	John Oderne.	John Stubber.
John Seynesbury.	William Merlote.	John Bernet.
John Bole.	Lewes Mewys.	These were at Harfleur dead
John Ayleward.	Thomas Tryskebetys.	
Robert Kyngeston.	John Gode.	or disabled.
John More.	Nicholas Ramsell.	Geronet du Bayon.
Thomas Gylspyn. †	Thomas Fitzhenry	
Simon Godyngton.	( <i>mort al bataile</i> in Harl. MS.)	
Davie Boydell.	All the above were at the battle.	
John Bretton.		William de Spayne.
John Colmer.		Thomas Brimwyche.
John Polmer.		Lawrence Parker.
	Samson Brocas.	These four were at the Battle
	(died in the town of Harfleur).	

#### THE ARCHERS.

Henry Goldryng.	Henry Crispe.	Robert Coke.	John Turndale.
William Strode.	William Oldham.	Henry Charpe.	Thomas Edman.
John Prior.	Roger Boteler.	Robert Appelby.	William Bourgh.
John Pygot.	Thomas Russell.	Richard Kyng.	John Armovrer.
Richard Atykn.	John Mayland.	John Gander.	John Fote.
Henry atte Ryge.	John Turnor.	John Padley.	John Petyrsfele.
John Norreys.	John Ambrace.	John Maior.	John Darundell.
Nicholas Spray.	Thomas Howdon.	William Turner.	Philip Hodenet.
Roger Edward.	William Carpenter.	Thomas Sadler.	Gregory More.
Richard Cadwell.	John Dalderby.	John Hipstun.	John Mannyng.
Thomas Hunt.	Robert Forte.	John Codyngton.	Stephen Abyrcourt.
Richard Burdon.	Robert Dene.	Nicholas Turner.	Robert Hardyng.
John Crescey.	John Pirpoynte.	Richard Wykham.	William Waryn.
Thomas Coke.	John Chapman.	John Hosyer.	John Merden.
Henry Smyth.	John Pycton.	John Charietter.	John Colyers.
John Tyler.	William Bernard.	John Durnwell.	
Simon Holand.	John Lytster.	Lewes Lawrence.	

All the above are marked as having been at Agincourt.

<sup>1</sup> In the Duke's will, dated 1415, he devised "the sum of £20 to Thomas Playsted in memory of the humanity (*naturesse*) which he showed me when I was at Pevensey under guard."

## Queen Joan in Custody of Sir John Pelham

After this expedition England took some time to recover from the exhaustion caused by the loss of men and the cost of the raid.

In 1416, September 10th, the several sheriffs were again ordered to warn the men of their respective counties to be ready to meet Thomas, Duke of Clarence the Regent, for the defence of the kingdom. Henry employed his time in building ships, and generally preparing for a fresh foray into France. The organization of a distinct royal navy, apart from the mere mustering of merchant vessels impressed into the service, is a feature of the reign. Thirteen hundred vessels had been assembled for the last expedition, and now fifteen hundred were fitted out for a second invasion of France. On June 2nd, 1417, the King forbade the wearing of coat-armour by persons not entitled thereto, except those who had fought at the battle of Agincourt, and a new herald was appointed called Agincourt king-at-arms.<sup>1</sup>

The history of the years 1417-1418 is mainly a catalogue of sieges and minor successes won by the English in France. Special mention is made of a heavier form of ordnance than had before been used in the siege of the towns—"firing off showers of stones with a terrific noise." On February 12th there is an order to provide workmen for making gun-furniture, and oxen, horses, and carriages for the same.

In 1419 Queen Joan of Navarre, widow of the Duke of Brittany, then wife of Henry IV. and stepmother to Henry V., was arrested, while the King was absent at the siege of Rouen, by the Duke of Bedford, being accused with Friar Randell, her confessor, of having practised witchcraft, with the design of destroying the King. She was ordered into the custody of Sir John de Pelham, who directed nine servants to convey her to his castle of Pevensey.<sup>2</sup>

On May 21st, 1420, a confirmation (in Latin and French) was made by

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<sup>1</sup> On October 22nd, 1417, Henry, Archbishop of Canterbury, informs the King that he has admitted John Cook to the prebend of Bryghtling in the Free Chapel of Hastings, on the resignation of David Pryce. (*Fœd.* ix. 505.)

<sup>2</sup> She was not released till 2 Henry VI. upon petition to Parliament, when her dower and all arrears for the same were returned to her. According to Leyland's Coll., vol. ii. p. 489, she was sent for some part of the time to Leeds Castle (Kent), but there may have been some confusion as to this between her and Eleanor Cobham, who was imprisoned on the same charge in 1441, and was sent to Leeds Castle. Walsingham (*Hist. Ang.* vol. ii. pp. 231, 1419) mentions Pevensey Castle as Queen Joan's prison.

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<sup>7</sup> *Henry V.* (June 1st, 1419). Margaret de Hoo acknowledges herself indebted to Sir John Pelham, sen., Kt., and Sir John Pelham, junr., Kt., and Robert Wrytele, in the sum of £1,000, to be paid at Christmas next. (*Ex. Collect. Fr. Thynne. Lanc. Feical.*)

*Extracted from the Register of Master Henry Ware, of good memory, formerly Bishop of Chichester, in the year of our Lord, 1419.*

On the 26th day of January, in the year of our Lord abovesaid, Sir John Freman was admitted to the perpetual vicarage of the parish church of Wertlyng, in the diocese of Chichester [vacant] by the free and voluntary resignation of Sir Henry Foston, the last vicar of the same, to which he is presented by our beloved sons, John Couper, Nicholas Mokkyng, and Richard Blythe, Canons of the Royal Chapel of the Blessed Mary in Hastings Castle, and prebendaries of the prebend of Wertlyng, Hoo, and Nenefeld, in the diocese of Chichester, and was canonically instituted perpetual vicar in the same, with the rights, etc. And he undertook obedience to the lord [Bishop], etc. And letters were written to the Archdeacon of Lewes or his Official to induct. (*Ch. Mis. R.*  $\frac{1}{4}$ .)



## Death of Henry V

Charles VI., King of France, of the Treaty of Troyes with King Henry V. of England. The latter was to marry Princess Katherine, the daughter of the King of France; and Henry V. or his heirs were nominated to succeed Charles VI., the English King being regent during the lifetime of Charles. Each country was to preserve its own laws and customs. (*Fæd.* ix. 895.)

Henry married Katherine, returning with her to England in February, 1421. She gave birth to the luckless Henry of Windsor on December 6th, 1421. The success of the Dauphin over the Duke of Clarence, whom he defeated and slew at Beaugé, in Anjou, on March 22nd, 1421, recalled Henry to France. By May, 1422, the King had subdued nearly all France north of the Loire. At the zenith of his success he died at the Castle of Vincennes, on August 31st, 1422. On his deathbed he appointed Bedford to the regency of the Kingdom during the minority of his infant son, the Earl of Westmoreland acting as a member of the new Council.

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*Extracted from the Register of Master John Kempe, Bishop of Chichester, in the year of our Lord, 1421.*

On the 13th day of March, in the year of our Lord abovesaid, Sir Thomas Kymburle, chaplain, was admitted to the perpetual vicarage of the parish church of Mundefeld, in the diocese of Chichester, to which he is presented by the religious men, the Abbot and Convent of the Monastery of Robertsbridge, the true patrons of the said vicarage, and he was canonically instituted in the same, with all its rights and appurtenances, having first taken an oath to reside, etc., and he undertook obedience to the lord [Bishop], etc. And letters were written to the Archdeacon of Lewes, or his Official to induct. (*Ch. Mis. R.*  $\frac{4}{34}$ .)

# Grant of the Rape to Sir John Pelham, Junior

## CHAPTER XV

### HENRY VI



HENRY VI., at his accession to the throne of England, was an infant no twelve months old. Notwithstanding the Treaty of Troyes, the Dauphin (who had never acknowledged its binding force upon him) took the title of Charles VII. of France on the death of Charles VI., a few months after the death of Henry V. This led to a fierce renewal of the war with France, which continued with but slight intermission during the whole of this reign, until the English were finally driven out of the country. In December, 1422, Ralph, Earl of Westmoreland, life-tenant of the Honour of Richmond, was elected a member of the Council. He died in the year 1424, when by virtue of the grant of 14 Henry IV. the manors of Crowhurst, Burwash, and Bevyllham, with their appurtenances, together with the Rape of Hastings, became the property of Sir John Pelham.

In the sixth year of Henry VI. (June 17th) Sir John Pelham, senior, made a grant to his son, Sir John Pelham, junior, of the above-mentioned manors and Rape in fee in the following words:—

GRANT OF THE RAPE, ETC., BY SIR JOHN PELHAM TO SIR JOHN, HIS SON, 1428.

(6 *Henry VI.*)

To all the faithful in Christ to whom these present letters may come, John Pelham, senior, Knight, Greeting. Know ye me to have given, granted, and by this my present charter to have confirmed unto John Pelham, Knight, my (only) son, my lordship of the Rape of Hastings, with the manors of Crowherst, Burghersh, and Bivelham, with their appurtenances in the county of Sussex; together with the knights' fees, wards, marriages, etc.; with their whole appurtenances,

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1423. (Cotton MSS. Cleopatra F. 4, f. 2). It was granted that William Prestwyk should have, at the presentation of the King, the deanery of the Free Chapel of the King at Hastings, void and in the King's gift, etc.

An Indulgence was granted to Lady Johanna Pelham by Peter de Vernacia, one of the apostolic delegates for such purposes, in pursuance of a Bull of Pope Martin V., dated vi. id. August (August 8th), 1427, authorizing the issue of indulgences to persons who should give a sufficient donation towards the redemption of Christians living in the hands of infidels. (*Add. Charters*, 29, 261.)

1424. (*Id.* f. 16). On the 20th day of February, in the second year at Westminster, there was granted to William Prestwyk, clerk of the Parliament, 40*li.*, to be received annually from the issues of the hanaper of the Chancery of the King, etc., at the term of Easter and St. Michael, by equal portions, so long as it shall please the King, or until he shall be provided by the King with a competent ecclesiastical benefice.

6 Henry VI. Sir John Pelham, Knight, Sir Roger Fenys, Knight, and others, were appointed to view and rectify the new banks said to obstruct the course of the fresh waters which used to run between Hastings and Bosele, whereby much land was drowned.

In this year also, on an Inquisition taken at Battle, the jurors found that there were fourteen knights' fees in the custody of the Queen of England, which John, Earl of Richmond, together





SEPULCHRAL BRASS OF WILLIAM PRESTWYK, DEAN OF  
HASTINGS COLLEGE (pres. 1423, died 1436, see p.  
572) and Master of the Chancery of Henry IV,  
Warbleton Church, Sussex.

Restored from old rubbings. Size 3 ft. 3 in. by 3 ft. 5 in.

W. H. OVERTON, F.S.I. RES.

Plate VI. Vol. I. To face p. 250.





## Inquisition as to Military Fees of the Rape, 1428

return of writs, and execution of the same, and summonses, patronages and advowsons of churches, as in certain letters patent of our Lord the King Henry the Fourth, deceased, to the said John Pelham, senior, Knight, thereof made, appeareth to be more fully contained. To have and to hold my said lordship and manor aforesaid, together with the knights' fees, etc., with their whole appurtenances, return of writs, execution of the same, and summonses, patronage and advowsons of churches, unto the said John Pelham, my son, Knight, and his heirs and assigns for ever, of the chief lords of the fees thereof, by the rents and services thence due and of right accustomed. And I, the said John Pelham, senior, Knight, and my heirs, my said lordship and manors aforesaid, etc., with their whole appurtenances; return of writs and execution of the same, and summonses, and patronage and advowsons of churches, to the said John Pelham, my son, his heirs and assigns, against all persons will warrant and acquit and for ever defend. In witness whereof I have to this my present charter put my seal. Witnesses to the same: Roger Fenys, Knight, Thomas Leukenore, Knight, Richard Dalyngrigge, Armiger, John Penneherst, Thomas Esseburnham, and many others. Given at Laughton the 17th day of June, in the sixth year of the reign of King Henry since the Conquest of England the Sixth. (*Add. Ch. 30,047*) *Seal of Arms.*

On the same date Sir John Pelham, senior, gave his power of attorney to

with his tenants, at one time held, within the said Barony of Hastings; and which were divided between John Pelham and divers other persons, and as well *within* the liberties of the Cinque Ports at Winchelsea and Hastings, as *without*, belonging to the said Barony; so separated that there was not any one of them who held in consequence the fourth part of a single knight's fee by itself (or in one place).

### *Inquisition taken at Battle, 6 Henry VI. (Military Fees of the Rape of Hastings.)*

On the Monday after the Feast of Corpus Christi. An Inquisition taken at Battle in the sixth year of the reign of King Henry VI. before Peter Colyn, Andrew Peke, and his brethren, commissioners and collectors of the subsidy from the knights' fees, etc., as granted to our said lord the King in the last Parliament holden at Westminster, and who were more especially deputed to make inquisition on oath, etc., as to the knights' fees within the Rape of Hastings, and what persons were seized and possessed of the same—of both which an account is contained hereunder.

John Pelham holdeth the Barony of Hastings by two knights' fees and a half—late John of Gaunt's.

Thomas Leukenore, Knight, and his tenants, etc.

The Lord de Ecchingham and his tenants, etc.

John Cropwood and others, etc.

Thomas Ashebornham and his tenants, etc.

The heirs of John Wawdenx, etc.

Roger Fyens and his tenants, namely:—

Thomas Sackvyle, Thomas Abbot of Robertsbridge, Robert Oxenbregge, John Pyers, John Gotle, John Zouche, Thomas Stonlynke, Henry Gledowe, Thomas Berghe, Robert Mot, Thomas Mabely, Simon Mabely, John Gates, junior, John Gates, senior, John Pory, William Smyth, John Theaher, William Theaher, and others, hold two fees and a half, late of John Fyens and their tenants in Herst, Suodingstreete, and Gotle: wherefore they, the jurors, say that the said Roger Fyens holdeth half a fee by himself, and the said tenants and others hold two fees between them separately, so that there is not any one of them that holdeth the fourth part of a fee of the said fees.

William Warbelton and his tenants, etc.

Vincent Fynche, etc.

The heirs of Thomas Passelee, etc.

The heir of John Goldingham, etc.

The heirs of Gilbert Malvyle, etc.

The heirs of Edmund Atte Knelle, etc.

The heir of John Codingge, etc.

The Lord de Ecchingham, etc.

Amisia de Grece, etc.

The heirs of John Codingge and the Lady de Burncheste hold between them, separately, the fourth part of a knight's fee in Codingge; wherefore neither of them holdeth singly the fourth part of a fee.

## Escheat and Inquisition of the Rape, 1429

Adam Iwode and Thomas Dene to deliver seisin of the aforesaid Rape, manors etc., to his son, Sir John Pelham, junior, as follows :—

POWER OF ATTORNEY OF SIR JOHN PELHAM, SENIOR, TO GIVE POSSESSION OF THE RAPE TO SIR JOHN PELHAM, JUNIOR. (6 Henry VI., June 17th.)

To all the faithful in Christ to whom these present letters may come, John Pelham, senior, Knight, Greeting. Know ye me to have ordained, constituted, and in my place to have put my beloved in Christ, Adam Iwode and Thomas Deane, my true attorneyes conjointly and severally in my name and stead, to deliver full and peaceable seisin unto my son, John Pelham, Knight, of the lordship of the Rape of Hastings with all its appurtenances, together with the manors of Crowherst, Burghershe, and Bivelham, with their appurtenances in the county of Sussex, according to the true form and effect of a charter of the same, made by me to the said John, my son, ratifying and agreeing to whatsoever my said attorneys shall cause to be done in my name in the premises. In witness whereof I have to these presents put my seal. Given the 17th day of June, in the 6th year of the reign of King Henry since the Conquest of England the Sixth. *Seal of arms (Add. Ch. 30,048.)*

At Sir John Pelham's, senior, death, on an inquisition taken at Lewes (February 14th, 7 Henry VI.) before William Otteworthe, Escheator of Sussex, the jurors in their return state that the Grant of Henry IV. and Sir John Pelham's entry on the death of Ralph, Earl of Westmoreland, and enjoyment thereof, until he enfeoffed his son, Sir John Pelham, junior, and gave him seisin thereof, to hold to him and his heirs in fee for ever; that the tenants attorned to the said John Pelham, junior, who was seized (at the taking of this inquisition) in fee; and that Sir John Pelham, senior, died on February 12th then last past; and that the Rape, with perquisites of courts, was worth per annum £21 Os. 6½d.; and that the said Rape was held of the King *in capite* by knight's service. The following is the mandate and inquisition on this occasion :—

MANDATE AND INQUISITION AS TO THE RAPE ON THE DEATH OF SIR JOHN PELHAM.

(7 Henry VI.)

Henry, by the Grace of God King of England and France, and Lord of Ireland, to his Escheator in the county of Sussex, Greeting. Whereas John Pelham, Knight, held of us *in capite* on the day that he died, as we are informed, we command you to take into our hands without delay all lands and tenements of which the said John was seized in his lordship as of fee in your bailiwick at his death as aforesaid, and place the same in safe custody until we otherwise give orders. We further command that you thereupon cause diligent inquiry to be made by the oaths of true and lawful men of the said bailiwick, by whom the truth of the matter may be better made known, what land and tenements the said John held of us *in capite*; as well in his lordship as by services in your said bailiwick on the said day of his death, and what of others and by what service; and how much such land and tenements are worth by the year in all issues; and on what day the same John died, and who is his next heir, and his age. And such Inquisition distinctly and openly made, you are without delay to send to us in our Chancery, under your seal and the seals of those by whom it shall be made, and this writ. Witness myself at Westminster, on the 14th day of February, in the seventh year of our reign.

The answer to this writ appears in a certain inquisition annexed to the same writ as follows :—

INQUISITION TAKEN AT LEWES.

Inquisition taken at Lewes, in the county of Sussex, on the Wednesday next before the Feast of St. Gregory the Pope, in the seventh year of the reign of King Henry the Sixth since the Conquest; before William Otteworthe, Escheator of our lord the King in the said county by virtue of the writ of our said lord the King directed to the said Escheator. And this inquisition is taken on the oaths of Richard Lyvet, Richard Rakle, Roger Lecche, John Bray, Robert Atteford, William Stopham, Thomas Copyn, William Shoeswelle, Laurence Curteys, Robert Atte



## Pardon of Sir John Pelham, Junior, for Intrusion

Reede, Henry Westbourne, and Thomas Ward, jurors, who say upon their oath that Sir John Pelham, named in the said writ, held no lands or tenements of our lord the King *in capite*, nor of any others, on the day of his death in the said county in his lordship as of fee ; but they say that the lord Henry, the late King of England, grandfather of our lord the present King, in the fourteenth year of his reign, by his letters patent shewn to the jurors in this inquisition, did of his special grace and in consideration of the good and acceptable service rendered to the said King by the said John give and grant unto the said John Pelham the manors of Crowherste, Burwasshe, and Bevyllhame, with the appurtenances in the county of Sussex ; together with the Rape of Hastings in the same county, which were parcel of the castle, earldom, honour, and lordship of Richmond ; the which castle, earldom, honour, and lordship the said lord Henry did formerly, by his letters patent, grant unto Ralph, Earl of Westmoreland and Marshal of England, for the term of his life : to have and to hold the said manors of Crowherste, Burwasshe, and Bevyllhame, with the appurtenances, together with the same Rape of Hastings, of our said lord the King and his heirs or successors Kings of England, after the death of the aforesaid Ralph, Earl of Westmoreland, unto the said John Pelham and his heirs for ever, according to the true form and effect of the aforesaid letters patent, so made to the said John Pelham. And they say that the aforesaid Earl Ralph afterwards died, and that the said John Pelham, after the death of Earl Ralph, by virtue and pretext of the said letters patent of the aforesaid King Henry, and of such gift and grant aforesaid did enter into the aforesaid manors with their appurtenances, together with the aforesaid Rape of Hastings, and thereof became seized in his lordship as of fee, and in consequence the said Sir John Pelham thereof enfeofed Sir John Pelham, junior, and thereupon delivered seisin thereof to the said John Pelham, junior : to have to him and his heirs in fee simple for ever without any condition or collusion before or after had or previously having been conferred ; by virtue of which feoffment all and singular the farmers and tenants thereof attorned unto the said John Pelham, junior, and by virtue of the said feoffment and attornment the said John Pelham, junior, became seized in his lordship as of fee of the said manors and Rape with the appurtenances, and continued so until the time of taking this inquisition. And they say that the said John Pelham, named in the said writ, at no time after the said feoffment had any ownership or claimed any right in the manors and Rape aforesaid, unless at the will and by the licence of the said John Pelham, junior. And the said jurors moreover say that the said manor of Crowherste is worth per annum in all issues £8 14s. 10½d. ; the said manor of Burgwasshe is worth by the year in all issues £14 12s. ; the said manor of Bevyllhame is worth by the year in all issues £8 5s. 9½d., and the said Rape, with the perquisites of court, is worth by the year in all issues £21 or. 6½d. And they say that as well the said manors of Crowherste, Burgwasshe, and Bevyllhame, as the said Rape, are held of our lord the King *in capite* by military service. And lastly, the said jurors say that the said Sir John Pelham, named in the said writ, died on the 12th day of February last.

The entrance of Sir John Pelham, junior, into the possession of the Rape without the King's licence, in consequence of his father's grant to him, being deemed an "intrusion," and the Rape having escheated to the Crown, he was compelled to pay the sum of 100 marks for its release, on doing which he obtained the following pardon of such his intrusion :—

SIR JOHN PELHAM'S, JUNIOR, PARDON FOR INTRUSION INTO HASTINGS RAPE, ETC.

(7 Henry VI., April 30th.)

Henry, by the Grace of God King of England and France, and Lord of Ireland to all, etc., Greeting. Know ye that whereas the lord Henry, King of England, our grandfather, in the fourteenth year of his reign, by his letters patent, did give and grant unto John Pelham, Knight, since deceased, the manors of Crowherst, Burghwash, and Bevyllham, with their appurtenances, in the county of Sussex, together with the Rape of Hastings in the said county (which were parcel of the castle, honour, and lordship of Richmond, which castle, honour, and lordship indeed our said grandfather did grant by his letters patent to Ralph, Earl of Westmoreland and Marshal of England, for the term of his life) to have and to hold the aforesaid manors with their appurtenances, together with the aforesaid Rape of the said late King and his heirs and successors Kings of England after the death of the aforesaid Earl, unto the aforesaid John and his heirs for ever, according to the true form and effect of the aforesaid letters granted unto the said John. And whereas the aforesaid Earl died, and the aforesaid John, after the said Earl's death, did by virtue and pretext of such letters and grant aforesaid enter into and become seized in his lordship as of

## The Rape Restored to Sir John Pelham, Junior

fee of the said manors and Rape, and the same John did thereof enfeof Sir John Pelham, junior, who in consequence thereof became himself seized thereof to hold to him and his heirs in fee simple for ever; by virtue of which feoffment the said Sir John Pelham, junior, became seized of the aforesaid manors and Rape, with their appurtenances, in his lordship as of fee, and there hath since been taken an inquisition of the said manors and Rape with their appurtenances, and the same on being extended hath been found to be holden of us by military service; and forasmuch as the said manors and Rape, as well by the death of the said John Pelham as by occasion of the transgression aforesaid, hath been taken into our hands; we, in consideration of one hundred marks paid to us in our hanaper, do pardon his transgression in this part. And further, we grant for us and our heirs, as much as in us lieth, unto the aforesaid John Pelham, junior, that the aforesaid manors and Rape that he may again have and hold, to him and his heirs of us and our heirs by the services thence due and accustomed for ever, without let or impediment, etc. In witness, etc. Dated at Westminster, April 30th, 7 Henry VI. (*Pat. pt. i. m. 10* [17].)

The abovementioned John Pelham, junior, being thus reinstated in possession of the Rape, etc., in the eighth year of Henry VI. (1430), he granted to the abbey of Battle a general release from all rents, dues, and services owing to him from the monastery as lord of the same for their estates within that honour; a copy of which release is entered in the abbey rental and is as follows:—

### SIR JOHN PELHAM'S RELEASE TO BATTLE ABBEY. (8 Henry VI.)

To all the faithful in Christ to whom this present writing may come. Sir John Pelham, Knight, Lord of the Rape of Hastings, sends greeting. Know ye that I, for the health of my soul and of the soul of Sir John Pelham, my father, and for the souls of all my ancestors, have remitted, released, and in all things quitted claim, and do hereby for myself and my heirs and all other in our names, for ever remit and release unto Thomas, Abbot of the Monastery of St. Martin of Battle, in the county of Sussex, all right, claim, and demand which I have in all lands and tenements held by the said Convent of me within the Rape of Hastings; together with all rents and services issuing from the same, etc. In witness whereof I have to this present writing put my seal. Witness Robert Oxebregge, John Thamworth, Robert Arnod, William Arnod, John Penherste, and others. Dated at Battle aforesaid, the 24th of July, 8 Henry VI.

By the year 1428 the English had again begun to feel themselves masters of well nigh the whole of France, when the marvellous figure of Jeanne d'Arc came upon the scene. In the autumn of 1428 the Earl of Salisbury was killed by a cannon-ball at the siege of Orleans.<sup>1</sup> John, Duke of Bedford, writing to the King on October 28th concerning this incident and the defeat of the English, informs him that it was owing to enchantment "of a disciple and lyme of the Feende called la Pucelle." (*Fœd. O. X.* 408.) By the advice of the French Council, preparations were now made for the coronation of Henry as King of France. He was in the first instance crowned King of England on November 6th, 1429, but,

<sup>1</sup> The army of the Dauphin was armed with small cannons or bombards, which fired *iron balls*, then a novelty. The effect of them was greatly felt by the English troops.

John Pelham, *miles*, granted to Joan Pelham, widow of John Pelham, *miles*, senior, the dowry from the Rape of Hastyng (Hastings), and from Pelham Claregge and Bartolettesrente, in the burgage of Peneese (Pevensey): namely, the manor of Bevilham (Bibleham, in Mayfield); the "Castle-Ward" of Bevilham, Brikelherst (Bricklehurst, N. of Burwash), Passhele (Pashley, S. of Ticehurst), Hamerden (Hamerden, N. of Burwash), Bodyham (Bodiam), Kechenore (Kechenour, N. of Burwash), Marle (? Marley near Battle), and Identon (Iden?); the "Fallagia bondorum" of the manor of Burghersshe (Burwash), Burneholth, and Kyngesdowne, in Burghersshe; the hundreds of Hawkesbergh (Hawkesborough), Shoyswell, and Foxherle (Foxearle), with the third part of the profits of a court called la Lathe, held annually, etc.

Dated Michaelmas (September 29th) 8 Henry VI. (1429). *Seal of Arms.*

N.B.—There is a "Marley" South of Idon and Peasemarsch. (*Add. Ch.* 30,049.)



## Dispute as to Jurisdiction of the Chapel, etc., 1432

owing to the continued success of the Dauphin's army, the coronation of Henry in France did not then take place. Jeanne d'Arc was captured on May 26th, 1430, and was burnt as a witch at Rouen on May 31st, 1431. In the same year as this act of gross superstition, the great ecclesiastical council sat at Bâle, with a view to effect the union of the Eastern and Western Churches, and other ideal objects of reformation, the consideration of which unfortunately proved to little purpose. At home a rebellion of the Lollards took place under Jack Sharp, having for its avowed object the confiscation and appropriation of the temporalities of the Church in England. It was speedily quelled, and its leader executed at Oxford in May. These outbreaks were closely connected with the distress into which the country had been thrown, with the consequent increase of the burden of debt and taxation.

In December, 1432, there commenced a recrudescence of the old disputes relating to the jurisdiction over the prebends of the King's Free Chapel in Hastings. The King accordingly appointed a commission to consider the matter as follows :—

### COMMISSION TO ENQUIRE AS TO THE CHAPEL IN THE CASTLE OF HASTINGS.

(*Abstract of the Pat. Roll, December 1st, 1432, 11 Henry VI. p. 1, m. 13, dorso.*)

The King to the Abbot of Battle, Richard Wakehurst, William Sydenay, junior, and Edmund Mylle.

Lewis Coychurch, Archdeacon of Lewes, shows to Us by his petition that whereas he of right, by the common law and by the laudable custom of the Holy Church, ought to have all manner of ordinary jurisdiction which belongeth to the office of Archdeacon in all parish churches, prebends and other benefices of the Holy Church and in other places of the Archdeaconry : which said jurisdiction extends to visitations, corrections of crimes, inductions of those persons who are admitted by the bishop of that place, and instituted in the said churches and other benefices : of which said jurisdiction the said Lewis and all his predecessors have been seized from time immemorial, except that the said Lewis and his predecessors were restricted from exercising the said jurisdictions in the bodies (*corporibus*) of the prebends of Our Chapel of Hastings within the said Archdeaconry, because it was pretended that the said prebend, with the chapels aforesaid (*sic*), was a royal free chapel and of the foundation of Our noble progenitors, whereas the said chapel was never a royal free chapel nor so founded, by pretext whereof King Edward I. made certain collations of some of the said prebends then vacant to certain clerks who entered into the same without induction by the Archdeacon of that place. Afterwards divers of Our progenitors and We Ourselves presented divers clerks to some of the said prebends, who were admitted by the bishop of that place, and entered into the same without induction by the Archdeacon. And also during the time that the said Lewis was Archdeacon of Lewes, all those clerks who were admitted by the Bishops of Chichester entered into the same without induction by the said Lewis, contrary to law and custom, because the induction is part of such title, and where the Bishop hath the admission and institution, the induction belongeth to the Archdeacon. And afterwards King Edward III. caused a commission to be made under the Great Seal, dated at Westminster May 8th in the 35th year of his reign [1361], directed to Master John Branktre and others to visit the said Chapel, with the said prebends, and the dean, canons, and other ministers thereof, and to execute all other things which concerned such visitation. Such visitation was made, and the said commissioners made

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February 26th, 1430. The sheriffs of the counties were ordered to summon persons possessing £50 a year to assume the order of knighthood.

February 5th, 1430-1. Sir John Pelham and his sureties, Henry, Earl of Northumberland, Sir Thomas Chaworth, Sir John Colville, and John Wilticotes, Esquire, were discharged from a recognizance of £1,000 entered into by them to keep the peace towards Robert de Poinyngges, and all other lieges, and forfeited by an assault on Thomas Turdan : granted by letters patent from King Henry VI. Witness, John, Duke of Bedford, "*Custos Angliæ.*" (*Add. Ch.* 29,267.) Westminster.

## Confirmation of the Rape to Sir John Pelham, 1439

process against the Abbot of Robertsbridge, canon of the said chapel, and prebendary of the prebend of Salehurst. Also Henry, King of England, Our grandfather, caused another commission to be made, dated at Westminster March 8th in the 9th year of his reign [1408], directed to the Abbot of Battle and John Kyngton, to supervise the said Chapel and to visit it and the canons and ministers thereof, and to correct any defects there, etc., which they did, and made divers constitutions and ordinances, some of which concerned the prebends of the said Chapel, and the repairs of the chancels and other houses, whereas the bodies of the said prebends ought to be visited by the Archdeacon of Lewes and not by commissioners. And the said Lewis hath been much disturbed by Our writs of prohibition directed to him reciting that the said Chapel and prebends are exempt from all ordinary jurisdiction, when they are not and never have been so exempt, to his no small damage. Whereupon he prayeth Us for remedy. We, consenting to his said supplication, assign you to enquire into the truth of the matter, and to send the inquisition so made into Our Court of Chancery.

Witness, the King, at Westminster, December 1st [1432].

The year 1433 saw a slight return of the plague in England, and matters in France continued to go from bad to worse. The Duke of Burgundy renounced his alliance with England, and by April, 1436, Charles had recovered Paris. Negotiations for a peace were commenced, but went on slowly.

In the 18th year of Henry VI. the King confirmed by *inspeximus* the grant of his grandfather Henry IV., of the Rape, etc., to Sir John Pelham, senior, to the above Sir John Pelham as follows:—

### CONFIRMATION OF THE RAPE, ETC., TO SIR JOHN PELHAM, JUNIOR.

(18 *Henry VI.* [1439].)

Henry, by the Grace of God King of England and France and Lord of Ireland, to all to whom these present letters shall come, Greeting. We have seen the letters patent of the Lord Henry, late King of England, our grandfather, made in these words: (*see* Charter 21, November 14, Henry IV., already quoted). Now we, to prevent in any wise the revocation of the said letters in such sort granted of the said liberties and franchises, with the advice and assent of the lords spiritual and temporal assembled in our Parliament holden at Westminster in the first year of our reign, do accept, approve, and to our beloved and faithful John Pelham, Knight, junior, son of John Pelham, Knight, now holding the said manors and Rape, and his heirs; the same do ratify and confirm as in the same letters is reasonably witnessed, and the said John Pelham, junior, should enjoy the liberties and franchises aforesaid, so conceded by the said letters, as his ancestors so far as the same is reasonable, have been heretofore accustomed to enjoy. In witness whereof we have caused these our letters to be made patent. Witness, the King, at Westminster, the 24th day of November, in the 18th year of his reign. [1439.]

By the King and his Council in Parliament.

In the Parliament of 1442 it was ordered that a fleet should keep the sea. This fleet included eight great ships of war, carrying a hundred and fifty men each, each ship being attended with a barge manned by eighty men, and a "balynger" manned by forty men, also four "spynes." These vessels were directed to guard the coast, and to Hastings was appointed "a spynes" (? pinnace) (each "spynes" was to carry twenty-five men. *Rot. Parl.*, p. 59b).

The King came of age in 1442, and in 1444 a truce for about two years having been settled with France, it was proposed to make certain alliances with a view to the arrangement of a permanent peace. Accordingly, on April 22nd, 1445, Henry married Margaret of Anjou, a girl of sixteen. Sir Thomas Hoo had been instrumental in furthering this match, and he now, to the astonishment and dismay of Sir John Pelham, junior, received the Honour and Rape of Hastings, in utter disregard of the former grant and confirmation to himself. This undoubtedly was a most extraordinary proceeding; in after times indeed the grant



## The Rape Granted to Sir Thomas Hoo, 1445

to Hoo was considered by himself and his successors too weak to be relied upon as a root of title. The grant to Sir Thomas Hoo, and Sir John Pelham's petition to Parliament on the injustice wrought upon him are appended as follows:—

### GRANT OF HASTINGS CASTLE AND RAPE TO SIR THOMAS HOO.

(23 *Henry VI.*, 1445.)

Henry, by the Grace of God King of England and France and Lord of Ireland, to all to whom these present letters shall come, Greeting. Know ye that of our special grace, and in consideration of the good and acceptable services rendered unto us by our beloved and faithful knight, Thomas Hoo, we do give and grant unto the said Thomas Hoo, our Castle, Lordship, Barony, and Honour of Hastings, in the county of Sussex, with the hundreds, etc., and all other liberties and franchises, commodities, profits and appurtenances whatsoever, of us or our heirs or successors within the castle, lordship, barony, and honour of Hastynges aforesaid, or any parcel thereof, or to, or in the same or any parcel thereof pertaining, or being, to be found, or any way forming part thereof. And also return of all manner of writs, precepts, and other our mandates, or of our heirs or successors, or of the justices of us, our heirs or successors whatsoever, within the said castle, lordship, barony and honour of Hastynges, and every part and parcel thereof for the time being to be sued out or prosecuted; also all and all manner of fines, issues, and amerciaments, in all courts whatsoever, of us and our heirs and successors or other whatsoever, made, forfeited, or adjudged, of all tenants and all residents of, or in, the same castle, lordship, barony, and honour, or any parcel thereof pertaining or belonging. And likewise all issues and profits of the same Castle, Lordship, Barony, and Honour of Hastynges, whence neither to us nor to any of our progenitors or predecessors from the time of the death of Ralph, late Earl of Westmoreland, any thing hath been answered; to have and to hold all the said Castle, Lordship, Barony, and Honour of Hastynges the hundreds, wapentakes, views of frankpledge, leets of courts, suit of court as well of free tenants as natives, knights' fees, offices, advowsons of churches, abbeys, priories, *chapels*,<sup>1</sup> chantries, hospitals and *prebends*, rents or services called Castle-ward, blanche ferme, waytfee, hundred silver, justice yeld, common fine and other services whatsoever; villages, hamlets, places, wards, marriages, reliefs, escheats, parks, chaces, warrens, wrecks of the sea, waifs and strays, chattels of felons and fugitives, also of outlaws condemned, and suicides, fairs and markets, and all other liberties and franchises, commodities, profits, and appurtenances; as also return of all manner of writs, precepts, and other mandates of us or our successors, or the justices of us, our heirs or successors whatsoever, within the said Castle, Lordship, Barony, and Honour of Hastings, and every part and parcel thereof for the time being to be sued out or prosecuted; also fines, issues, and amerciaments, to the said Thomas his heirs and assigns of us and our heirs by the services thence due and accustomed for ever (the not making express mention of the true value of the said Castle, Lordship, Barony, and Honour of Hastynges and other the premises, or of any gifts and grants made by us or any of our progenitors to the said Thomas before this time in these presents, or any statute, ordinance, act, restriction, or mandate to the contrary thereof made notwithstanding). In witness whereof we have caused these our letters to be made patent. Witness myself at Westminster the 19th day of July in the 23rd year of our reign (1445).

By the King himself and of the date aforesaid by authority of Parliament.

Sir John Pelham, naturally feeling himself aggrieved by this grant to Hoo, presented a petition against it, reciting the grant of Henry IV. to his father, Sir John Pelham, of the Manors of Crowherst, Burwash, and Bivelham, and the Rape of Hastings, after the death of Ralph, Earl of Westmoreland, tenant of the same for life. He strongly urges among other reasons, his father's former services to the King's grandfather. This petition is as follows:—

A COMPLAYNT OF SIR JOHN PELHAM, JUNIOR, TO PARLIAMENT TOUCHING THE MANORS OF BURWASH, BIVELHAM, AND CROWHERST, AND HASTINGS RAPE IN THE TIME OF HENRY VI.

"Sir Jn<sup>o</sup> Pelham Jun<sup>r</sup>:" Petition to Parliament 23 Hen. 6. Unto the Noble and discrete, the knyghts of the Schires and Borgesses of this present Parliament, beseeching unto your noble and wyse discrections, J. Pelham Chevalier of ye counte of Sussex. That forasmuche as yn the

<sup>1</sup> These general words here passed the College Church and Prebends. See *Post.* Grant to the Bishop, 25 and 26 Henry VI.

## Sir John Pelham's Petition, 1445

tyme of the Ryght High and Myghty Prince, King Henrj the iiij. progenitor and grantfadyr unto the sov'ayne Lord ye King y<sup>t</sup> now ys, hit lyked unto y<sup>t</sup> good King and progenitor for the notabell and trew servicez don be John Pelham knyght unto ye seyde king and progenitor, to yeve the grant unto the seyde J. Pelham fadyr of your beseecher the manerys of Crowhurst, Burwashe, and Bevyllham, togyder with ye Rape of Hastings with ye appertenaunces in ye counte aboveseyd, after ye deth of Radulf Erle of Westmerland, tenante of ye forseyd manerys and Rape, terme of lyfe, unto ye seyde J. Pelham knight and to his heyrys in fee simple for ever; to have and to hold ye seyde manerys with ye seyde Rape, togedyr with ye honoris, lordschipis, londs, tent<sup>1</sup>, rents, s'vicyces, parkis, closurys, hundredis, wapentacs, courts leet, knights fees, offices, advowsons, patronages of chyrches, chapels, chauntreys or hospitalys, retorns of writ, or any odyr mandate, and execucion of ye same, tog<sup>r</sup> with all liberties and franchises to ye seyde Rape or manerys belonging or abyding in anywyse, as holly and freely as John Duke of Bretagne ever hadde or held, or any of his ancestors before y<sup>t</sup> time, as hit apperyth by the before mentioned letters patentes of the grant of ye seyde good prince and king, Henry the iiij., confirmed be the soverayne lord y<sup>t</sup> now ys; as to the whiche maneryes and Rape was never interupcion made ayens the virtute of the seyde grant, unto now late within the tyme and begynnyng of this present parlement, ther hath been purchased be Sir Thomas Hoo, Chaviler anodyr patent by a newe grant be more speciall wordys (by odyr maner of form) of our Sov'rayn Lord ye King y<sup>t</sup> now ys, for to annulle and distroye the vertu of the fyrste grante unto ye ynsupportable hurt and disheryntyng of yo<sup>r</sup> besecher; <sup>1</sup> the whiche lyeth yn zowyre noble and wyse discrecions for to remedye as well be conscience as lawe; considering alle ye olde and grete charges, servicez and costys unto ye King and his progenitors that have be done in alle the warres, as well be yo<sup>r</sup> seyde besecher as be his fadyr, and yn especiall the grete jupardie and emprize of the Castell of Pevense which the forseyd John Pelham fadyr of y<sup>r</sup> besecher toke and held, with foreynlond (strong hond—another reading) unto ye use of ye Kings noble progenitors at y<sup>t</sup> tyme grete plesance and comfort unto ye King and alle his trewe sujetts of all the relme; whiche ys not unknowne unto ye moste part of ye notable and auncient peple of ye lond. Wherefore plesse yo<sup>r</sup> noble wysdoms all thow ye sugestion have or shold be made unto zou be the seyde S<sup>r</sup> T. Hoo or any odyr to have eny newe grant amytted be acte of ye present Parlement, that conscience and right be seye at ye reverence of God or ellys to putte unto comen lawe.

The result of this petition is unrecorded, but Sir Thomas Hoo was continued in the estate, and as we shall see, was subsequently created Lord Hoo and Hastings.

Although we may disapprove of the means by which these possessions were wrested from Sir John, and the seemingly unchivalrous conduct of a fellow-knight, the fact remains that Hoo was now an owner of the Castle, Free Chapel, and Rape of Hastings. It is only right therefore to give a brief account of his family history, so far as it is known, previous to the grant.<sup>2</sup>

The Hoos of Scarning, Norfolk, were descended from Robert Hoo, who in 1418 (6 Henry V.), purchased Maltaster, Norfolk.<sup>3</sup> In the year 1292, Robert de Hoo married, according to Mr. Durrant Cooper, "Beatrice de Andeville," and obtained a grant of free warren in his demesne lands in Knebworth and Harpenden, Herts., together with a fair of three days and a weekly market in Knebworth; and also free warren in Hartford-Hoo, Stopesley, and Malden, Beds.; Clopton, Cambs., and Livethorpe, Oxon.<sup>4</sup> It would seem fairly certain therefore, that he

<sup>1</sup> The "*more speciall wordys*," or "*odyr maner of form*" in which the Rape was conveyed to Hoo, as here mentioned, seems to have been the alteration in describing it in the King's grant to him, or rather the omission in such description of the words "parcel of the Castle, Earldom, Honour and Lordship of Richmond," so described in the grant to Sir John Pelham, Senior.

<sup>2</sup> I am indebted to Mr. Hamilton Hall, F.S.A. for an able criticism on the early portion of the pedigree put forward by Mr. Durrant Cooper (vol. viii. *Sussex Arch. Collns.*, p. 104), from which it appears that much, if not all, of such pedigree down to the middle of the fourteenth century is a fabrication (*Vide* Mr. Hall's paper, vol. xlv. *Sussex Arch. Collns.*). From the later portion of Mr. Cooper's history I have quoted considerably.—C. D.

<sup>3</sup> Hoo deeds in a box at the Chapter House, Westminster.

<sup>4</sup> Clutterbuck's *Herts*, vol. i., p. 306, and vol. ii., p. 373.



## The Hoo Pedigree

had no demesne lands in Sussex; nor has any trace yet been found in that county of his son Robert, said to have married Hawise Fitzwarren, and to have died in 1340. The earliest notice yet discovered of the name in Sussex, Mr. Cooper states, is in 1324 (18 Edward II.) when William atte Hoo owned the manor of Woolbeeding.<sup>1</sup>

"Sir Thomas de Hoo, knight, son of the last-mentioned Robert, married Isabel, only child and heiress of John de St. Leger (who died in 1326, when his daughter was but seven years old,<sup>2</sup> seized of large estates in Sussex, Northamptonshire, and Herts). She was born on May 25th, 1319, at Holcot in Northamptonshire, and there baptized.<sup>3</sup> The popular pronunciation of the name was, and in Yorkshire still is, 'Sellinger,' hence the title of the old country-dance tune of 'Sellinger's Round,' given in W. Chappell's *Popular Music of the Olden Time*, p. 69. Her wardship had been granted to Roger Mortimer, Earl of March, and was by him demised to Richard St. Leger.<sup>4</sup> When she was only twelve years old, an inquisition was taken to know whether she was of full age; and when she was only fifteen (9 Edward III.)<sup>5</sup> she was already the wife of Thomas de Hoo. Two years afterwards her husband obtained grants of free warren, not only in his own patrimonial lordships of Hoo, Stopesley, and Wheathamstead, Herts,<sup>6</sup> but also grants in respect of his wife's Sussex estates, of a yearly fair, and a weekly market on Tuesdays, in the manor of Wartling, and also fairs of three days each in the manors of Buckstepe and Dallington: and in 1356 (30 Edward III.) a grant of free warren in all his manors in this county.<sup>7</sup> He was sheriff of Surrey and Sussex for six years, namely, in 1348, 1349 and 1350, and again in 1356, 1357 and 1358; he was also escheator for both these counties: <sup>8</sup> and represented the county of Bedford in Parliament.<sup>9</sup> He had moreover land at Hoo, in this county: for on May 6th, 1372, by a feoffment there dated, he and his wife made a grant to William Nott of a messuage and three acres of land called Nottyslond in Hoo.<sup>10</sup> He died on September 18th, 1380, and was buried at St. Albans, being survived by his wife: she died on July 2nd, 1393, and was buried beside her husband, having obtained in 1390 (14 Richard II.) a confirmation of the grants of fairs, free warren, etc., in the Sussex lands to herself and her heirs.<sup>11</sup> They had two sons:—John Hoo of Knebworth, who died without issue; and Sir William Hoo, Knt., who was a man of considerable importance during the reign of Edward III., Richard II., and Henry IV. He was a legatee under the will of Sir Thomas Wingfield (of the Suffolk family) bearing date July 17th, 1378: <sup>12</sup> but the first notice found of his public services was in the year 1370, on May 18th in which year (44 Edward III) he had an allowance of £40 for his wages, while he was in the King's service at Calais.<sup>13</sup> In 1387, he assisted Michael de la Pole, Earl of Suffolk, to escape in the disguise of a 'Flemish poulterer' with his beard shaved, and to

<sup>1</sup> Cal. Inq. ad Quod Dam., p. 280.

<sup>2</sup> Rot. Pat. Inq., taken at Offley, September 23rd, 20 Edward II., No. 23.

<sup>3</sup> Rot. Pat. Inq., taken at Towcester, June 20th, 7 Edward III.

<sup>4</sup> Inq., 9 Edward III., No. 21.

<sup>5</sup> Rot. Pat. Inq., taken at Towcester, 9 Edward III., No. 21, writ dated from York, May 31st, to the sheriff of Northampton, to deliver over the estates, she being then the wife of Thomas Hoo.

<sup>6</sup> Clutterbuck, vol. i., p. 306.

<sup>7</sup> Cal. Rot. Pat., p. 221.

<sup>8</sup> Carl. Ho. Ride MSS.

<sup>9</sup> Willis, Not. Parl.

<sup>10</sup> Battle Abbey Records, p. 82.

<sup>11</sup> Cal. Rot. Pat., p. 221.

<sup>12</sup> Anstis, Order of the Garter, vol. i., p. 223.

<sup>13</sup> Brantingham Issue Roll, p. 136.

## Sir William Hoo

reach Calais on his flight from the imminent danger then threatening him from those in opposition to the Court."<sup>1</sup>

"In the same year Hoo was made keeper or captain of the castle of Oye in the marshes of Picardy; and on October 1st, 1387, being about to proceed to the Holy City of Jerusalem, and possibly absent for two years, he obtained the King's license to appoint his son William, or his brother, or any other sufficient person, as deputy-keeper during his absence.<sup>2</sup> He seems to have been continued in his keepership of Oye during the remainder of the reign of Richard II., being yearly re-appointed. The counterpart of the Indenture, dated November 16th, 1392 (16 Richard II.), states his reappointment from the following July, with a garrison of ten men-at-



arms, each paid 8*d.* a day for wages: and 30 archers on foot, paid 6*d.* a day each: his own salary being £10 a quarter, by the King's favour,<sup>3</sup> and to this indenture is appended the seal here engraved. In February, 1398, he was in England, and appeared before a jury summoned at Westham, to inquire into the non-repair of the banks in the marsh from Borham Bridge, through those lands of Sir William Hoo, which were situated between the lands of the Abbot of Begeham (Bayham) near the bridge, and the lands of Stephen Plasted,<sup>4</sup> the bank having gone to decay through the neglect of

the owners of the property."<sup>5</sup>

"The appointment in Picardy was not renewed on the accession of Henry IV., for among the proceedings of the Privy Council in May, 1402 (3 Henry IV.) is a memorandum to speak to the King for Sir William Hoo "touching the restitution of the Castle of Oye."<sup>6</sup> He was nevertheless occupied by his sovereign in State matters of great trust. On March 12th, 1405 (6 Henry IV.), he was one of the ambassadors from England to treat with those of Margaret, Duchess of Burgundy (Countess of Flanders), concerning the affairs of the Low Countries, and a treaty of merchandise with Flanders.<sup>7</sup> On July 3rd in the next year he was appointed with Sir William Aston, lieutenant of Calais, and five others to treat with the agents of John, Duke of Burgundy for a general abstention from war, and for a treaty to regulate the merchandise and fishing between the two countries.<sup>8</sup> And on October 5th following he was one of the persons appointed to negotiate with France a treaty for securing the free passage of the sea,<sup>9</sup> serving at that time in the garrison of Calais, under John, Earl of Somerset, the captain there. On May 8th, 1407, he was appointed with three others to treat on behalf of Henry with the deputies of the Duke of Burgundy, concerning the publication of the treaty of merchants concluded between the two countries:<sup>10</sup> and the letter from the four English deputies with their seals affixed, to the deputies of the Duke dated June 14th, 1407, is preserved among the *Additional MSS.* in the British Museum.<sup>11</sup> Three years later he was

<sup>1</sup> *Vita Ricardi II.* (Ed. Hearne), p. 96.

<sup>2</sup> *Rym. Fæd.*, vol. iii., part 4, p. 16.

<sup>3</sup> *Dugd., Embanking*, pp. 92, 94.

<sup>4</sup> Nicolas, *Proc. of Privy Council*, vol. i., p. 183.

<sup>5</sup> *Ibid.*, p. 99, and Nicolas, *Proceedings of the Privy Council*, vol. i., p. 292, where the instructions are printed.

<sup>6</sup> *Rym., Fæd.*, vol. iv., part 1, p. 113.

<sup>7</sup> Harl. Charter, 51, G. 8.

<sup>8</sup> In 1399 he was patron of the church of Wiston.

<sup>9</sup> *Rym. Fæd.*, vol. iv., pt. 1, p. 79.

<sup>10</sup> *Rym., Fæd.*, vol. iv., part 1, p. 102.

<sup>11</sup> No. 14,820, e.i.v.



## The Arms of Hoo

appointed on another commission of a like character; but as he was delayed in England, another person was on May 12th, 1410,<sup>1</sup> appointed in his place. His strength was failing him, and the Knight, who for forty years had faithfully served three sovereigns, died on November 22nd, 1410, at the ripe age of seventy-five. He was twice married, his first wife being Alice, daughter and coheir of Thomas de St. Omer, on the side of her mother Petronilla, coheir of Nicholas de Malmaynes, who brought him the property of Milkeburton or Mulbarton in Norfolk, and by whom he had Thomas, mentioned below; John who in 1428 joined with his nephew, Thomas, in releasing lands at Wartling, sold by his brother Sir Thomas to Sir Roger Fynes Knt. (*Rot.* Clause 6 Henry VI. m. 8.), and died without issue; possibly a William who must also have died without issue;<sup>2</sup> and one daughter, Margaret,<sup>3</sup> who married the wealthy Thomas St. Clere, from which marriage the family of Gage is descended.<sup>4</sup> The second wife was Eleanor, daughter of Sir John Wingfield, and by her he had another son Thomas, from whom the Hertfordshire branch is stated to have descended. She survived her husband, and when the subsidy of 6s. 8d. in the pound on every person having £20 a year in land was collected in 13 Henry IV., 1411-12, she held the manor of Wartling, and rents, lands, and tenements in Warbulton and Bockstepe, worth £60 per annum.<sup>5</sup> The arms on the escutcheons and on the seal of Sir William How here engraved are,—”

Dexter 1. Or, a fesse azure, for Andeville (?).<sup>6</sup>


2. Azure, a fesse between six cross crosslets or, for St. Omer.

Sinister 3. Azure, a fret argent and a chief gules, for St. Leger.

4. Azure, three dexter hands, 2 and 1 or (they should be sinister, but are reversed on the seal) for Malmaynes.

In the centre are—The arms of Hoo—quarterly sable and argent, and the crest a griffin crowned with wings displayed.



“The motto is ‘*Bien aqiert*’ (well gotten), and between the arms of St. Leger and Malmaynes is an old English , surmounted by a crown.”

“Sir William Hoo presented to the living of Mulbarton in 1367, and rebuilt the church and tower. In the chancel of this church he and his first wife were buried. He had adorned the windows with portraits of himself, of his wife Alice, and of her family and their arms. Blomefield,<sup>7</sup> writing in 1769, says, that till lately one of the north windows had in it the picture of Sir Thomas de St. Omer on his knees,

<sup>1</sup> Rym., *Fœd.* vol. iv., part 1, p. 169.

<sup>2</sup> Rym., *Fœd.*, vol. iii., part 4, p. 16.

<sup>3</sup> As the descendants of the daughter Margaret were ultimately the heirs of Thomas Hoo who died in 1486, there can be no foundation for the descent of the Hoo family of Scarning in Norfolk from another son, Richard Hoo (1440), as stated in the pedigree published by Parkin, in his continuation of Blomefield's *Norfolk* (vol. v., p. 1055). There is no evidence to connect the Scarning family with the Sussex family. The deeds relating to the Hoos of Scarning and Burnham in the Chapter House, Westminster, make it appear that their ancestor was:—a Robert Hoo, the purchaser in 6th Henry V. of the estate at Maltaster (in Norfolk).

<sup>4</sup> Sir John Gage married Eleanor, one of the daughters and coheirresses. Thomas St. Clere died seized of lands in Suffolk, Cambridge, Leicestershire, Bucks, Oxon, and Surrey, and of lands in Heighton, Tarring, Jevington, Excete, Lampham, Newenham, Brambletay, Notebern and Brighthelmston in Sussex. Vincent's *Suss. MSS. Coll. of Arms*, p. 99.

<sup>5</sup> *Subsidy Roll for Sussex, Carl. Ho. Ride MSS.*

<sup>6</sup> Mr. Cooper makes no mention of the *Cinquefoil* beneath.

<sup>7</sup> *Norfolk*, vol. iii p 51

## Sir Thomas Hoo

in armour, with his sword at his side, and his arms on his surcoat, his lady in the same posture behind him, with the arms of St. Omer and Malmain, and his daughter Alice behind them. Opposite were Sir William Hoo and his wife Alice in the same posture. Over the former were the arms of Malmain: over the latter were the arms of St. Omer: at the top of the window were the arms of Hoo, and at the bottom this inscription:—

“*Priez pour lez almez Du Sieur Thomas Sentomeris et Dame Perinelle sa Femme.*”

“The son Thomas Hoo, by Alice St. Omer, was knighted in 1405 (6 Henry IV.) in his father's lifetime, and was present and fought at the battle of Agincourt, being the only knight in the retinue of Thomas Lord Camoys, who commanded the left wing of the army on that memorable day. This lord's retinue was composed entirely of Sussex men.<sup>1</sup> In the enrolment of his account in the Pipe series, among the *Carlton House Ride MSS.* the return is distinctly marked Sussex, and the names of the whole retinue are given.<sup>2</sup> Lord Camoys's wages were 4s. a day for himself, 2s. a day for his knight, Sir Thomas Hoo, 27 men-at-arms at 12d. a day, and 60 archers at 6d. a day, the whole sum payable to Camoys from the Exchequer for wages being £362 8s. 4d., and a further sum of £16 3s. 4d. for a third part of the redemption of divers prisoners. On June 25th, 1420 (8 Henry V.), Sir Thomas was appointed with Hugh Halsham and Robert, Lord Poynings, by the King's council for the safe and secure conduct of the Duke of Bourbon, the King's prisoner, from the seaport, where he should be received on board ship to be taken to France into the King's presence, Sir Thomas having with him 19 men-at-arms and 40 archers.<sup>3</sup> He died on August 23rd, 1420, having, like his father married two wives, by each of whom he had also a son named Thomas, a circumstance which has created most of the difficulty experienced in tracing the family history. The first wife was daughter and heiress of Thomas Felton, of the county of Huntingdon,<sup>4</sup> who died in 1400: and his second, Elizabeth daughter and co-heiress of William de Echingham,<sup>5</sup> who survived her first husband and married as her second husband, Sir Thomas Lewknor.”

“Thomas (afterwards Lord) Hoo, was the son by the first wife. Camden calls him ‘the noble Baron Hoo,’ and he rendered very eminent services to his sovereign, both as a soldier and a lawyer. In early life he was esquire of the chamber to Thomas, Duke of Exeter, in whose retinue he probably went into France in 1419. The Duke by his will (dated December 29th, 1426) bequeathed to Thomas one of his ‘coursers called Dunne.’<sup>6</sup> In 1431, Hoo was one of the feoffees of the large estates of William de la Pole Earl of Suffolk,<sup>7</sup> with whom he acted in all public matters, but of his earlier life no notice has been found; nor is there found any record of the services which immediately after the death of the Duke of Bedford, Regent of France, led to the appointment of Thomas Hoo, on October 1st, 1435, as the Keeper of the Seals, and his subsequent elevation on December 15th, to the dignity of Chancellor of France,<sup>8</sup> which he continued to fill with some intermissions till October 1st, 1449. The Chancellor of France in 1435 was Louis de Luxembourg, Bishop of Thérouenne, and afterwards of Ely in England, and the

<sup>1</sup> In Nicolas's *Agincourt*, p. 342, the county of Lancaster is wrongly placed against Lord Camoys's retinue. <sup>2</sup> See p. 247 *ante*. <sup>3</sup> *Devon's Pell. Roll.*, p. 363.

<sup>4</sup> Dugdale has called her in error the first wife of her son Thomas.

<sup>5</sup> *Harl. MSS.*, 381, p. 75.

<sup>6</sup> *Test. Vetusta*, p. 210.

<sup>7</sup> *Cotton Charters*, xxix. 32.

<sup>8</sup> Du Chesne, *Histoire des Chanceliers*, p. 448.



## Sir Thomas Hoo's Career

policy of this appointment of Hoo has been strongly questioned in a work of authority attributed to Lord Brougham,<sup>1</sup> wherein he describes the Duke of York as 'wholly devoid of the prudence and wary circumspection which, joined to his singular firmness, had enabled his predecessor (Bedford) to maintain a hold over the conquered country, when beset on every side by overwhelming difficulties.' Brougham further observes that while the distracted counsels of the English Regency, and the official forms of completing York's appointment detained him in England for over six months, he committed the great indiscretion of removing Chancellor Théroutenne to make way for an English favourite, and thus 'alienated the house of Luxembourg, at a time when the loss of all other support made its countenance of peculiar importance.' If, however, the date of Hoo's first appointment as Keeper given by Du Chesne be correct, it could scarcely have been the sole act of York, for the Parliament which named him Regent did not meet till October 10th, and the evidence of Luxembourg's disgust is not very clear. During the Duke of York's delay in England the Chancellor (Luxembourg) with Lord Willoughby tried to appease the people of Paris, failing in which they retired to the Bastille. This fortress they defended for ten days with their small company, till finding no aid arrive, they, on April 13th, 1436, yielded it up on the terms that they and theirs, with their baggage, should return to Rouen, then the seat of Government.<sup>2</sup> It is probable that the absence of the Chancellor at Paris led to the necessity of appointing a Keeper of the Seals at Rouen. In the year 1436, Luxembourg was made Archbishop of Rouen, receiving a Cardinal's hat in 1439. Occasionally during the time of Hoo's occupation elsewhere, Luxembourg still acted as Chancellor. Writs dated 6th and 18th February, 1436, in reference to the affairs of his relative Jacqueline, the Dowager Duchess of Bedford, were addressed to him as still Chancellor.<sup>3</sup> In 1438 also he was made Bishop of Ely, and in the same year he acted as Chancellor in France. Moreover in the patent of the King, dated from Eltham, September 9th, 1442, authorizing the Duke of York and others to negotiate a peace, not only is Luxembourg styled 'our Chancellor in France,' but he is associated in embassy with Thomas Hoo,<sup>4</sup> and he made his will by the title of Chancellor.<sup>5</sup> He directed his body to be buried in the cathedral of Notre Dame at Rouen (if he should die there) on September 15th, 1438, being then at Rouen, though he subsequently retired to the episcopal palace at Hatfield, Herts, where he died.<sup>6</sup> There seems also good reason to be found for the appointment of a soldier rather than an ecclesiastic in the disturbed state of the country, nor have the occupations of the bench and the camp been found, even in present times wholly incompatible."

"But whatever may have led to the appointment of Hoo, it is certain that his military services were called into requisition, and were successful. Notwithstanding the recently signed treaty of Arras, the Normans of the country of Caux being, according to Hall's *Chronicle*,<sup>7</sup> 'somewhat heartened by the news of the death of the Duke of Bedford, began a new rebellion and slew divers Englishmen, and robbed many pretty towns, which were of King Henry's

<sup>1</sup> *England and France under the House of Lancaster*, p. 320.

<sup>2</sup> *Holinshed*, p. 613.

<sup>3</sup> *Rym., Fœd.*, vol. i., pp. 25, 26.

<sup>4</sup> *Ibid.*, p. 115.

<sup>5</sup> *Du Chesne*, p. 446, where a copy of the will is given.

<sup>6</sup> He died on September 11th, 1443, and was buried at Ely.

<sup>7</sup> Hall, 13 Henry VI., fol. 48a, l. 27.

## Sir Thomas Hoo, Chancellor in France

fashion and part : and took the town of Harfleur by assault and divers other towns. The Lord Talbot being advertised of this rebellion, sent for the Lord Scales, Sir Thomas Kiriell, and the Lord Hoo, which afflicted and plagued the people of Caux, that they slew above five thousand persons, and burnt all the towns and villages in the country not being walled, so that in that part was neither habitation nor tillage, for all the people fled into Brittany : and all the beasts of the country were brought to Caudebec, where a good sheep was sold for an English penny, and a cow for 12 pence.' According to Carte <sup>1</sup> 20,000 peasants committed horrible ravages, till the country was so wasted that they could not subsist, and were forced to disband and seek for bread in other provinces, by like depredations."

"The expenses paid out of the English exchequer, in maintaining the forces in Normandy, were very considerable. On May 24th, 1436, £100 were paid to the Chancellor of the King 'in his kingdom of France,' portion of 1,500 nobles which the King directed to be given him, 'by the advice and assent of his council, in part payment of the fees and rewards of 300 men-at-arms, and 900 archers, lately in the service of the King in his kingdom of France, for the term of St. John the Baptist : in the preceding year on the same day, the further sum of £170 16s. 8d. was delivered to the Chancellor in part payment of the fees and rewards of 200 men-at-arms and 600 archers, lately retained for the custody of the kingdom of France, for the same term of St. John the Baptist : and also the sum of £129 12s. in payment of the like number of men-at-arms and archers for Michaelmas term of the 14th year of Henry VI.<sup>2</sup> To the Chancellor was also paid on September 25th, 1436, the large sum of £666 13s. 4d. on the seizure and recovery of St. Valery."<sup>3</sup>

"During the whole period of Hoo's chancellorship, the toils of war alternated with the labours of the bench. The ruling powers in England were not slow in granting full rewards for these public services. In the spring of 1439, a large expedition was fitted out in England under Richard Duke of York, John Lord Sondes, and John Talbot, Earl of Shrewsbury. The forces of Talbot were embarked at Winchelsea. After they had landed, Sir Thomas Hoo<sup>4</sup> was sent by Talbot to the Captain of Mantes, and to the lieutenant at Pontoise, to increase the garrison of Vernon :<sup>5</sup> and in 1440 and 1441, Sir Thomas Hoo was himself Bailiff and Captain of Mantes, receiving on July 13th, 1440, a sum of 16 liv. 9 sols. tournois :<sup>6</sup> and on October 13th, 1441, he had the further sum of 106 liv. 2 sols. 1 den. tourn., being then late Captain and Bailiff there.<sup>7</sup> He had been transferred to the command of Verneuil to succeed Neville, Lord Falconbridge, who on November 13th, 1441, received pay for 20 mounted men-at-arms and 60 archers under his command there, until the new captain (Sir Thomas Hoo) took possession.<sup>8</sup> Sir Thomas<sup>4</sup> was at the same time master of Ostel (Oissel?). He was knighted in this year, and received from the Crown a grant of £40 a year out of

<sup>1</sup> Book xii., p. 712.

<sup>2</sup> *Issue Roll*, Rolls House MSS. (Easter), 14 Henry VI.

<sup>3</sup> *Ibid.* The Chancellor to whom these payments were made was Luxembourg : Hoo being only as yet Keeper.

<sup>4</sup> It may however be doubted if this was Lord Hoo.

<sup>5</sup> *Add. Charters*, Brit. Mus. No. 445, by which it appears that he received 30 sols. for his journey.

<sup>6</sup> *Ibid.*, No. 1189.

<sup>7</sup> *Ibid.*, No. 581. Du Chesne is in error in stating that Hoo was appointed to be Governor of Mantes, when he ceased to be Chancellor in October 1449. That town had fallen before Hoo had ceased to be Chancellor.

<sup>8</sup> *Add. Charters*, No. 1203.



## His Political Services

the revenues of Norfolk for life, in consideration of his great expenditure and special services in the King's wars.<sup>1</sup> It appears by the King's letters patent, dated from Rouen, January 26th, 1442<sup>2</sup> that he was not long in winning his spurs or rather wearing them like a knight; for he had gone to Rouen with Sir Francis de Surienne, Knight of the Garter, called the 'Arragonian' and described by Monstrelet as a 'great captain of the King of England in those parts of France under his dominions,' though he had in 1438 surrendered Montargis for a consideration.<sup>3</sup> These two knights proposed to the Duke of York a scheme for taking the town and fortress of Galardon (Château Gaillard?) on the terms that the two knights should have charge of the place, if taken, and pay for the men-at-arms and archers, the body to be divided between the two knights: Sir Thomas to be re-imbursed for his expenses, but the two to find always 250 men for the King's service. The scheme was approved and adopted: the treasurers were ordered to instruct the receiver-general to pay for the force accordingly. Success attended this enterprise, and on July 24th, 1442, the treasurers directed the receiver to pay Surienne his half of the expense of 120 men-at-arms and 380 archers, 'retained for the safeguard of the town and fortress of Galardon reduced to the King's obedience,' commencing from the day of the surrender of the place up to Michaelmas then next, and thence quarterly.<sup>4</sup> Diplomatic services were now required of Sir Thomas and on September 9th, 1442, he who had been successful as a soldier was appointed one of the commissioners, at whose head was the Duke of York, and among them Luxembourg, again styled Chancellor of France, to treat of peace with the commissioners of Charles VII. of France<sup>5</sup> and at a court holden at Eltham on October 9th the commission was confirmed. A truce of several months was the result. Sir Thomas was in the renewed commission under his friend the Earl of Suffolk, appointed on February 11th, 1444, to renew the attempt, through the mediation of the Duchess of Burgundy, to complete a truce or permanent treaty of peace.<sup>6</sup> This resulted in a truce of twenty-two months, agreed upon at Tours, on May 25th, ratified on June 27th, 1444, and continued till April 1st, 1450.<sup>7</sup> The payments to Sir Thomas Hoo on this embassy are among the issue-rolls of the Exchequer. On April 22nd he embarked on the ship of Walter Philpot, called the *Mary* at Southampton, and returned by the ship of Robert Dolling, called *The Mary of Cherbourg*, each of these skippers receiving £15.<sup>8</sup> Sir Thomas received 20s. a day for his fees, from April 22nd to June 27th, and his expenses, amounting to £134."<sup>9</sup>

"It was during these negotiations that Suffolk arranged the match between Henry and Margaret of Anjou, and in August, Sir Thomas Hoo was sent with the Garter King-at-Arms, from the King to 'his most dear consort' Margaret,<sup>10</sup> proving how much Hoo was in the confidence of Suffolk and of the Cardinal of Winchester. The appointment was dated July 6th, 1444, and Hoo—having on June 23rd drawn a sum of £91 paid by the hands of Stephen Kyrkby, his chaplain, in advance of his wages of 40s. a day being a knight<sup>11</sup> (the Earl of

<sup>1</sup> Dug., Bar.

<sup>2</sup> Add. Charters, No. 463.

<sup>3</sup> Carte Book XII.

<sup>4</sup> Add. Charters, No. 467.

<sup>5</sup> Rym., Fœd., vol. v., par. i., p. 115.

<sup>6</sup> Ibid., p. 133.

<sup>7</sup> Carte Book XII., p. 724.

<sup>8</sup> Issue Roll, Rolls House MSS., 30th September (Easter), 23 Henry VI.

<sup>9</sup> Ibid. (Easter), 16th July, 22 Henry VI. and (Easter) 20th July, 23 Henry VI.

<sup>10</sup> Anstis, vol. i., p. 338.

<sup>11</sup> MSS. Carl. Ho. Ride Nuncius.

## Pelham Grants the Rape to Hoo

Suffolk's pay was £3 6s. 8d. a day; other earls, and a bishop employed in embassies in the same reign, received like sums, while a doctor of laws had but 20s. a day) and the further sum of £26 13s. 4d. on account of his expenses,<sup>1</sup> started on his embassy on August 22nd, and remained in attendance on Margaret until her landing in England, April 11th, 1445, being a period of half-a-year and fifty-one days, for which he received the sum of £466, as his wages alone.<sup>2</sup> On November 5th, 1444, the Earl and Countess (afterwards Duke and Duchess) of Suffolk started from England. In the same month the Duke, as proxy of the King, espoused Margaret at Tours, and five months afterwards escorted the future Queen to our shores. They were absent for 187 days."<sup>3</sup>

"That fateful marriage was solemnized at Tichfield on April 22nd, 1445, and immediately afterwards Sir Thomas Hoo received from his sovereign the fullest reward for his delicate services, for the King endeavoured by the new grant above mentioned to confirm to him the lordship of Hastings.<sup>4</sup> On July 11th, 1445, according to the Black Book, Sir Thomas was elected into the most Noble Order of the Garter, at a Chapter said to have been holden at the 'Lion' at Brentford,<sup>5</sup> and his institution took place on August 16th, in the same year."

The years 1444-45 saw another terrible visitation of the Plague, and once again Parliament attempted to deal with the labouring classes. The limitation of wages, the obligation of giving due notice before leaving employment, the suppression of vagrancy, and other necessary but unpopular enactments followed, resulting in much discontent among the lower orders during the rest of Henry's unsettled reign.

Whatever may be the explanation of the virtual forfeiture of the Rape of Hastings from Sir John Pelham, Sir Thomas Hoo does not seem to have felt at all comfortable in his estate, respecting his title under the foregoing grant. Presumably the contention of Hoo's lawyers was that the grant, by Henry IV. to Sir John Pelham, was invalid, or rendered nugatory by the misdescription of the parcels or property in the deed. The words in the grant had described the Rape as being "parcel of the Honour of Richmond," which it never really was, although for many years it had passed under words that implied that it was. This error, it was probably contended, escheated the Rape to the Crown, or more strictly speaking the Rape had never been granted from the Crown by operative words. On further consideration Hoo, probably acting on good advice, entered into negotiations with Sir John Pelham in 1446 (24 Henry VI.) for a formal conveyance of his interest in the Rape. The grant of the Rape is made (with the exception of certain manors retained by Sir John Pelham) almost as if the grant of the King had never taken place, but this deed must undoubtedly be regarded as an amicable settlement of disputes between Sir Thomas Hoo and Sir John Pelham.

SIR JOHN PELHAM, JUNIOR'S,<sup>6</sup> GRANT OF THE RAPE, ETC., TO SIR THOMAS HOO,  
24 HENRY VI. (1446).

By Charter dated February 19th this year, Sir John Pelham, Knight (son of John Pelham, Knight, deceased), gives and grants unto William Pole, (1st) Marquis of Suffolk, Thomas Lewkenor

<sup>1</sup> *Issue Roll MS.* (Easter), 22 Henry VI.

<sup>2</sup> *Carl. Ho. Ride MSS.*

<sup>3</sup> The pay of the Earl and Countess together was £4 10s. a day, and the whole sum payable to them was £1408 (*Issue Roll MS.*, 20th July (Easter), 23 Henry VI.

<sup>4</sup> *Cal. Rot. Pat.* 33 Henry VI., p. 288.

<sup>5</sup> *Anstis*, *Introd.*, p. 38.

<sup>6</sup> Sir John Pelham's retention of the manors of Crowherst, Burwash, and Bevilham and other



## Hoo Created Baron Hoo and Hastings, 1448

Knight, Thomas Tudenham, Knight, John Wenlok and Thomas Hoo, armiger, and others in the said Charter named, the said Lordship and Rape of Hastings by the name of "The Lordship, Barony, Honour and Rape of Hastings" in the county of Sussex, with the appurtenances (*excepting the manors of Crowherst, Burwash, and Bivelham*, the parks of Crowherst and Dudewell [Dudwell in Burwash], etc., the forest or chace of Dallington, the hundreds of Baldeslowe, Hawkesberghe, and Shoeswell, a certain rent of fourteen shillings and threepence per annum, etc.), to hold to them and their heirs and assigns for ever; together with the hundreds, etc., advowsons of churches, etc., chapels, etc., within, or to the said Rape belonging; sheriffs' turns to be held annually at Derfold, also whatsoever to the said Rape, Courts, hundreds, turns, and views of frankpledge aforesaid belongs; and likewise return of all writs, etc., Barony, etc.

Witness, Reginald, Dominus la Warre, Roger Fenys, Milites, Thomas Echyngham. Date, February 19th, 24 Henry VI. (1446). (Latin) Seal of Arms (*Add. Ch.* 30046).

N.B.—The above grant of Sir John Pelham, Junr., was afterwards confirmed to Sir Thomas Hoo by the King, Henry VI. an. regn. sui 26. See *Pat.* 2 m. 19, 1.

In the year 26 Henry VI. (June, 1448) the king appointed Sir Thomas Hoo, Baron of Hoo in the County of Bedford, and of Hastings in the County of Sussex, to have the title in special tail male.<sup>1</sup> The preamble of the Patent is as follows:

(*Pat. Roll*, 26 Henry VI., pt. 2, m. 23.)

Henry, by the Grace of God, King of England and France, and Lord of Ireland, to all to whom these present letters shall come, Greeting. Know ye that we considering within ourselves the great and notable services and honours and labours that our beloved and faithful Thomas Hoo unto us and our progenitors, as well within our kingdom of England as in the parts of France and in our Duchy of Normandy, hath repeatedly and honourably rendered and daily ceaseth not from rendering. Now we, of our special grace and certain knowledge and mere motion have erected, raised and created the aforesaid Thomas a Baron of our Kingdom of England by the tenour of the present letters, and we impose, give and grant unto the said Thomas the name, style, title, and honour of Baron of Hoo and of Hastings; and further we assign whatever of the Lordship of Hoo is within the County of Bedford and the Lordship of Hastings which is within the County of Sussex, to have and to hold, etc., to him and his heirs male for ever. Dated June 2nd, in the 26th year of the reign of Henry VI. (1448).<sup>2</sup>

The King also, the year before, restored to the Bishop of Chichester his ancient jurisdiction over the College Church or Chapel of St. Mary in the Castle (the advowson of which, together with the Castle of Hastings itself, had been vested in the Crown from the time of the exchange made for it with John of Brittany, 2 Edward I., until the grant to Hoo) by the following Charter contained among the records of the Court of Chancery preserved in the Public Record Office, namely in the Charter Rolls of the 25th and 26th years of the reign of Henry VI., No. 38:—

premises above named, which before had always gone with the Rape as a part of its appurtenances was one of the principal of these considerations.

<sup>1</sup> Sir John Pelham seems never to have been summoned to Parliament, as a baron, in respect of the Rape of Hastings.

<sup>2</sup> He was summoned to Parliament from January 2nd, 1449, by writs, addressed to "Thos. Hoo, Chl'r."

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A pardon and grant of confraternity was conceded by the "*camerarius, custos, et procurator*" of the Hospital of the Holy Trinity and St. Thomas the Martyr in Rome, to Sir John Pelham the elder and Johanna his wife, as authorized by a bull of Pope Eugenius IV., dated viii. Kal. November (October 25th), 1465, renewed by a bull of Pope Nicholas V., dated iv. Kal. April March 29th), 1447.—London, December 1st, 1447. Lat. (*Add. Ch.* 29263).

# St. Mary's Church Restored to the Bishop, 1446

## GRANT OF THE JURISDICTION OF THE COLLEGIATE CHURCH BY HENRY VI. TO THE BISHOP OF CHICHESTER.

Henry, by the Grace of God, King of England and France, and Lord of Ireland, to the archbishops, bishops, abbots, priors, dukes, marquises, earls, barons, justices, sheriffs, reeves, ministers, and all his bailiffs and faithful people, Greeting.—Know ye that a certain church of the Blessed Mary within the Castle of Hastings in the County of Sussex, *since erected and established into a collegiate church by a former Count of Eu* (see page 21 *ante*), who was heretofore seized of the said Castle, and of the lordship, barony and honour [of Hastings], with the advowson of the church aforesaid in his demesne as of fee (which Castle, Lordship, Barony and Honour, with the advowson of the church aforesaid have come into the hands of some of our progenitors late kings of England and into ours) for the whole time that the said Castle, Lordship, Barony, and Honour with the advowson aforesaid, were in the hands of the said late Count, as well before the erection and establishment aforesaid as after the same erection and establishment, was always under the ordinary jurisdiction of the Bishop of Chichester the diocesan of that place for the time being, and of his archdeacon and his officaries, We, considering how that the Cathedral Church of Chichester is of the foundation of our noble progenitors heretofore kings of England and of our patronage, and on that account that it becometh and behoveth us to preserve unhurt its rights spiritual and temporal as much as in us is, and calling to memory how that we lately by our charter under our great seal, among other things, gave and granted unto our beloved Thomas Hoo, Knight, the Castle, Lordship, Barony, and Honour aforesaid, with their appurtenances, together with the advowson of the said Collegiate Church, late called the Royal Free Chapel of Hastings, and with the advowsons as well of the Deanery, as of the Prebends in the said church or chapel, by the name of our Castle, Lordship, Barony, and Honour of Hastings in the County of Sussex; and of the advowsons of churches, abbeys, priories, chapels, chantries, hospitals, and prebends, and other things in the said Charter specified: to have and to hold to him and to his heirs and assigns for ever. We willing therefore by advice and consent of our council that the said Collegiate Church lately called as is aforementioned the Royal Chapel of Hastings, and the dean, prebendaries, and the rest of the ministers of the said church, and whatsoever prebends and other benefices of the same Collegiate Church, or to any prebendaries of the prebends aforesaid pertaining or belonging in the diocese of Chichester, be for times to come for ever under the jurisdiction of the Bishop of Chichester for the time being, and of the Archdeacon of the said Bishop and of his officaries and commissaries, from the time of our gift and grant aforesaid to the said Thomas Hoo as aforementioned made, and for all times to come to be free, exempt, quit, and void of any visitation in chief or in members by us or our heirs or successors, or by our Chancellor of England, or by the Chancellor of England of our heirs or successors for the time being. We by the advice and assent aforesaid wholly divest, take away from, and by these presents for ever exclude ourselves our heirs and successors, and of any such Chancellor of England for the time being, also other persons whomsoever, except the said bishop and archdeacon and their officaries and commissaries aforesaid, from any visitation of the said Collegiate Church in chief or in members abovesaid; and from any ordinary jurisdiction in the same or any part of the same, by us or our heirs or successors, or by any such Chancellor or any one in our name or right to be exacted, claimed, or exercised. Provided always that neither we nor our heirs or successors, nor any one in name or right of us our heirs or successors, will in any thing meddle with any such jurisdiction in the said Collegiate Church or any member of the same, nor shall any one in the name or right of us or of the same our heirs and successors; but we, our heirs and successors, also every other whomsoever in the name or right of us or of the same our heirs or successors, shall be for ever excluded by these presents; and this to all whom it concerneth or can concern we declare and make known by these presents. And if any defect in our present letters shall hereafter be found out, by which the said letters shall in any wise be made void or cancelled, we will, and by the tenour of these presents, give firmly in command to the Chancellor of England for the time being of us our heirs and successors, that he by reason of these our present letters, at the instance of the Bishop of Chichester for the time being cause to be made to the said Bishop, so many, and such letters patent of us, our heirs or successors, under the great seal of us our heirs or successors, more valid and efficacious in this behalf, as to the same Bishop and his council shall seem necessary and fit in this behalf, without any suit to be made to us, our heirs or successors, or any warrant from us, or from the same our heirs or successors therefore to be had or obtained; these being witnesses; the venerable fathers T(homas) Archbishop of Canterbury, Primate of all England, legate of the Apostolic See, our Chancellor, W(illiam), Bishop of Salisbury,



## Muster Roll of the Rape

W., Bishop of Norwich ; our very dear uncle Humphrey, Duke of Gloucester ; and our very dear kinsmen Richard, Duke of York, and John, Duke of Exeter ; Edmund, Marquis of Dorset, and William, Marquis of Suffolk (Steward of our Household), Richard, Earl of Salisbury, and Henry, Earl of Northumberland ; our beloved and faithful John, Viscount Beaumont, John Le Scroop (Lescrop), Ralph Cromwell, and Ralph Bottiller, our Treasurer of England and Chamberlain of our Household, knights.

Given by our hand at Westminster, on the second day of December in the twenty-fifth year of our reign [1446].

By writ of Privy Seal and of the date aforesaid by authority of Parliament. (Latin) Fragment of the Great Seal, mutilated (*Add. Ch.* 30050).

### RAPE OF HASTINGS.

Armed men, Hobelars and Archers to be found by the Lords of Manors within the Rape of Hastings at the time of Richard II., Henry IV., V. and VI.

(From the Pelham Manuscripts.)

	<i>Men at Arms.</i>	<i>Archers.</i>	<i>Hobelars.</i>
The Abbot of Battle for Battell, Bernehorne, Merlegh and Ludefylde . . . . .	6	12	-
The heirs of the Lord of Echyngham, late of Godard of Oxynbrygge, Clotyng, Mundefeld and Udymer . . . . .	3	4	-
The Manor of Nedderfeld, late Will Fynche, Yclesham, Cattesfield . . . . .	2	4	-
The heirs of the Lord Edward of Pashlegh, late of Thomas Vic. Rochford for Pashlegh et Lez . . . . .	1	2	-
The heir of Wardew, late of Roger Lewkenor, Knight, for Bodyam and ffokyngton . . . . .	1	2	-
The heir of Selenges (St. Ledger), late of Richard Carew, Knight, for Wartelyng, Brokesmaylle and Bukstope . . . . .	2	4	-
The heir of the Lord John Monneaux (Monceaux), lately the Lord of Saye for Herstmonceaux, Oldcourt . . . . .	2	4	-
The heir of the Lord William of Warbleton for Warbleton . . . . .	-	1	1
The heir of Lord John de Ashbourneham, lately of Will. Ashburnham for Ashburnham and Ketchenham . . . . .	1	2	-
The heir of William Penherst . . . . .	-	1	1
The heir of Nicholas de Beech . . . . .	-	1	1
The Lord de Hoo, late Master of the College of Ashford . . . . .	1	1	-
The Bishop of Chichester for Bexhyll . . . . .	1	2	-
The Lord Edward Geldyngham . . . . .	1	2	-
The Lord William of Heer, late Robert Hall, for Heer and Gessling . . . . .	1	2	-
The Lord Brian Monbocher, late Henry Willughby, Knight, for Ffylsham, Chichelhurst, Cotteslegh . . . . .	1	2	-
Gervase Lunsford, for Lunsford and Wokenolle . . . . .	1	2	-
The Lord Wills de Bukkeshyll, late Oxenbrygge, for Bukkeshyll and Sokenershe . . . . .	1	1	-
The Abbot of Robertsbridge for ffodrelend, Thefodur and Eryks, with other within the Barony . . . . .	-	-	-
The Prior of Hastyng for Haselden, Ticeherst, Ashebornham, Sti. Michell and Forlegh, with other within Barony . . . . .	1	2	-
The heir of Ralph Crepy for Westfield with its appurtenances . . . . .	-	1	1
Gilbert de Gensyng, late Hall, for Gensyng with appurtenances . . . . .	-	-	1
Sisno . . . de Peplsham, late Johes Deneshe, Knight, for Peplsham and Croppeham . . . . .	1	2	-
Stephanus Coden, late Deean Stephani, for the same . . . . .	-	-	1
John Falyett for Lyme, Bogleght . . . . .	-	1	1
Wills de Megham for Megham and lez Weld . . . . .	-	-	1

# Lord Hoo and the Loss of Normandy

## RAPE OF HASTINGS (*continued.*)

	<i>Men at Arms.</i>	<i>Archers.</i>	<i>Hobelars.</i>
Adam de Cralle for the ffee de Bateherst . . . . .	—	—	1
Jacobus de Deygehill and Wigehyll . . . . .	1	—	—
The heir of the Lord Thomas de Northie, late Lords of Saye for Northie . . . . .	1	1	—
The heirs de Keriell, late Henry Wyllughby, Knight, for Kechenor . . . . .	1	—	—
The Lord of Breed, late the Abbot of Syon . . . . .	2	4	—
The Lord of Cattesfeld . . . . .	1	2	—
The Lord Bartholomeus Burghersh for Burghersh and Totyng- worth . . . . .	1	2	—
The Abbot of Begham for Rokeland . . . . .	1	2	—
The heir of Hamond atte Gatte for Gate and Dyxterbe . . . . .	1	2	—
Codyng . . . . .	1	—	—
Malviles, late of the Lord Fynes for Ewherst . . . . .	1	—	—
Sebannes for Morehall . . . . .	—	1	1

On account of the Plague, Parliament met at Bury St. Edmunds in February, 1447. The arrest of the Duke of Gloucester by order of Parliament, and his subsequent mysterious death, as well as the decease of Cardinal Beaufort, removed two of the leading statesmen of the reign, and had a considerable effect on the political history of the time. With regard to France a policy of surrender was adopted, in the hope of saving a portion at least of the English dominion. Maine and Anjou were first of all given up by Suffolk. Sir Thomas Hoo, Lord Hoo and Hastings, was on the King's business in Normandy, in 1448 and 1449, and was Governor of Mantes at the time when it fell into Charles VII.'s hands, although he was not actually present at the capitulation.<sup>1</sup>

The Regent Somerset sent over the Abbot of Gloucester and Lord Hoo and Hastings the Chancellor, with credentials to the Government and Parliament of England to let the King know the "doubtful and dangerous disposition of France." The Abbot laid the matter before Parliament, but no active steps were then taken. This supineness led eventually to the loss of Normandy between the years 1449 and 1450. On October 1st, 1449, Lord Hoo and Hastings returned to England and ceased to be Chancellor of France. He remained in England, being repeatedly summoned to attend Parliament from 27 Henry VI. till his death.

The plague still lingered in England, and the country seemed to verge on a state of moral decay and financial ruin. Parliament had already reproved publicly the murders, rapes, robberies, and burnings which were of constant occurrence throughout the realm (*Rot. Parl.* 1430). Bishop Moleyns and Suffolk fell victims in 1450 of the general disaffection.

<sup>1</sup> Monstrelet (Du Chesne, p. 448) says that during the time of the truce the English garrisons of Mantes, Verneuil, and Louguy (?) had gone on the high road between Orleans and Paris, and had robbed and murdered all passengers and merchants that fell in their way. On August 26th, 1449, Charles VII. left Chartres, and summoned Mantes to surrender: and the Counts Dunois and St. Pol, arriving with 500 or 600 men the same day, exhorted the inhabitants to return to their true allegiance. They at first refused for fear of the garrison, and the lieutenant-general having ordered preparations for an immediate attack "the inhabitants noticed this, but were fearful that the English garrison, amounting to 260 men, under Sir Thomas Hoo, Knight, and Chancellor of the King of England in these parts, would make a defence. He was not indeed in the town, but his Lieutenant Thomas de St. Barbe, bailiff of the place, was present." Finally, the inhabitants, having seized a portion of the town called Port au Saint, forced him to consent to a capitulation.



## Jack Cade's Rebellion, 1450

The Parliament which met at Leicester in 1450 passed an Act of general resumption by which most of the grants made since the King's accession were annulled. This Act is said to have originated in the attempt to remedy the monarch's prodigal and extravagant liberality,—although numerous exceptions were made in the Act in favour of certain individuals. Lord Hoo does not seem to have been among them, and theoretically the Honour and Rape of Hastings escheated to the Crown until re-granted shortly afterwards.

In the month of May in the same year broke out the famous rebellion of Jack Cade and the men of Kent. According to Holinshed, Cade drew to him "divers idle and vagrant persons out of the shires of Sussex, Surrie, and other places." A considerable number of his followers were recruited from Sussex, especially from East Sussex, where indeed the rebellion seems to have been conducted on the same methodical plan, and by the same officers as the authorized arrays of the Crown. Holinshed's statement above quoted as to the class of the insurgents is somewhat misleading. In many of the hundreds, especially in the Rape of Hastings, the risings were conducted by the constables of the hundreds, and the total muster in Sussex included tradesmen, small holders of land, yeoman farmers, and the lesser gentry of all denominations up to the number of 400. Richard Dertmouth, the Abbot of Battle, and the servants of the Abbey and convent, as well as John Daniel, Prior of Lewes, and the men and servants of the Priory, were all involved in the rebellion.

Among the official class may be numbered the Bailiffs of Pevensey and Seaford, the burgesses and the constables of the borough of Lewes. Among the Sussex names in the muster-roll occur the time-honoured cognomina of the Apsleys, Bartlots, Bolneys, Burtons, Chaloners, Colbronds, Geldridges, Laddes, Lunsfords, Melewards, Oxenbridges, Parkers, Poynings, Selwins, Wolfes, and others. The Sussex men did not join until the second advance (July 3rd) upon London—the first rising (June 1st) being confined to Kent.

The vengeance of the insurgents was especially directed against Lord Say and Sele (James Fiennes), Lord Treasurer. He lived at Knowle, near Sevenoaks, and they beheaded him in Cheapside in company with other victims of their fury. He seems to have partly earned this enmity by his having just acquired a grant from his kinsman, John de Clinton of Hamsey, whose neighbours largely supported Cade. Sir Roger Fiennes, who built the castle of Hurstmonceux, was his elder brother,<sup>1</sup> and it is a noticeable fact that a large proportion of the Sussex insurgents were recruited from the vicinity of Heathfield, in the neighbourhood where the Treasurer's kinsman dwelt. John Cade himself was formerly in the service of Thomas Dacre, who lived at the Baily (now Heathfield Park), Heathfield. It was reported that Cade, an Irishman by birth, was really a tool of the Duke of York, who had designs upon the Crown and whose family name, Mortimer, was assumed by this leader of the insurgents during the rebellion. Upon its suppression the pardons for the rebellion, dated July 7th, were directed to the Bailiffs of Sussex, Surrey, Kent, Essex, and Suffolk. The Sussex insurgents do not seem to have numbered among them any one above the rank of the lesser gentry and yeomen.

<sup>1</sup> The castle of Hurstmonceux, built of red brick, is an excellent example of a fortified dwelling in a style midway between the mediæval castles and the moated granges of later days.

# Jack Cade's Adherents in the Rape

A list of those of the insurgents who resided in the Rape of Hastings is now given as follows :

Gabriel Berword, Tysherst, } The Constables of  
yoman, } Shoeswell  
John Holbeme, Tysherst, yoman, } Hundred.  
Richard Chyntyng, Petynghow, husbondman.  
John Porter, " " " " " " " " " " " "

And others.  
John Mabsyn, Cattysfeld, } Constables of the Hun-  
John Parker, Hoo, } dred of Nenfield.  
Henry Mabsyn, Cattysfeld, with others.

Richard Beche, Sedelscombe, } Constables of Hun-  
yeoman, } dred of Staple.  
Robt. Morfoll, of Euherst, }  
draper, and others.

Robt. Pepesden, of Salehurst, } Constables of Hun-  
husbondman, } dred of Hen-  
Robt. Braban, husbondman. } hurst.

Thos. Fynhawe, of Westfield, } Constables of Hun-  
Christofer Halle, of Crowhurst, } dred of Baldeslowe.  
Richard Oxenbregge, of Pese- } Constable of Hundred  
mersh } of Colspore, etc.

Wm. Howlette, of Brede, } Constables of Hun-  
Wm. Hunte, of Odemere, hus- } dred of God-  
bondmen, and others, } stowe.

Robt. atte Mille, Wartlying, } Constables of Hun-  
yoman } dred of Fox-  
Robt. atte Wode, Warbylton, } herle.  
husbondman, and others.

Robert Abram, of Robertsbygge, and the dwellers of that town.

Thomas Stevens, Dalyngton, yoman.

John Hogge, " labourer.

John Lambe, " yoman.

Thos. Hunte, " "

Wm. Tayllour, " clerk.

Adam Wodsill, " yoman.

Wm. Sterlyng, " labourer.

Stephen Alfrye, " "

Simon Rook, " yoman.

Simon Croucher, " labourer.

And all and singular of the same town.

Thomas de Dene, of Dalyngton, yoman.

John Martyn, " labourer.

Richard Cok, " "

Thos. Polyngworde, " "

Thos. Russell, " yoman.

Simon Russell, " labourer.

John Prior, " "

And all and singular of the same parish.

John Batys, of Britlyng, gentleman.

John Erle, " labourer.

John Martyn, " "

Thos. Twyford, " "

Nicholas Jolyf, " "

Wm. Meryfeld, " yoman.

John Bele, " labourer.

John Pouke, " "

And all and singular of the same town.

Wm. Burford, of Britlyng, } Constables of  
yoman, } the Hundred of

Richd. Wyker, of Bataill, yoman, } Netherfeld.

John Snayleham, of Britlyng, labourer.

Thos. Hert, " "

Richard Bayly, " "

John Wodeman, " "

Thos. Godesole, " yoman.

Stephen Crotehole, " labourer.

Walter Martyn, " "

Wm. Smalefeld, " "

John Kenne, " "

Wm. Haylok, " "

John Adam, " "

John Godehyne, " "

And all and singular of the same hundred.

Stephen Wyt, of Mundefeld, senior, yoman.

Stephen Wyt, " junior, "

Wm. Westbourne, " labourer.

John Norman, " "

Richard atte Wode, " yoman.

John Kempe, " labourer.

Wm. Cropwode, " yoman.

William Crecy, " labourer.

John Cropwode, " yoman.

Thomas Smyth, " "

John Smyth, " "

Richard Riche, " labourer.

John Horsman, " "

John Hukstepe, " yoman.

John Hukstepe, junr., " labourer.

Robt. Loke, " yoman.

And all and singular of the same parish.

William Hampton, Balliff of Pevensec, yoman.

John Morley, of Westham, gentleman.

Richard Porter, " yoman.

Richard Motard, " "

And all and singular the men in the towns aforesaid.

Thomas Colbrond, of Wortling, gentleman.

Richard de Lay, " draper.

John Barward, Warbulton, yoman.

William Peggan, " "

John Jamyn, " husbondman.

Richd. Wellis, " carpenter.

Richd. Brette, Eshpernham, yoman.

Richd. Ladde, " husbondman.

Wm. Write, Wortlyng, yoman.

Thos. Briksnode, " "

Thomas Austin, clerk.

John Pynfowle.

Alan Tysherst, Ashburnham, carpenter.

Thos. Bole, " "

John Russell, " "

John Lampain, junr., Wratlyng, butcher.

Thos. Burgeys, " husbondman.

John White, " "

John Roser, of Estlyng (Guestling), Constable of

Guestling, and other men of the Hundred.

William Mason, of Hastings, mason.

Wm. Wytton, " dyer.

John Bychet, " carpenter.

John Mayhewe, " yoman.

Richard Hughson, " "



## Capture of Cade at Heathfield

James Lok, of Hastings,	helyar.	Wm. Martyn,	Battle,	labourer.
John Adam,	„	Thos. Colyn,	Ashburnham,	
Robt. Knight,	„	Wm. Byrchel,	Cattesfeld,	„
John Clypsam,	„	John Byrchet,	„	„
Osbert Watte,	„	John Parker, of Hoo,	yoman, Constable of the	
Edmund Letherland	„		Hundred of Hoo.	
John Lounsford, of Battle,	gentilman.	John de Wellys.		
Richd. de Neve,	„	Thos. de Brooke.		
Wm. Atte Held,	„	John Knelles.		
John Ideyn,	„	William Scotte, of the Hundred aforesaid, and		
John Fermesham,	„	John Broke, etc.		
Simon Martyn, Ashburnham,	„			

Cade, subsequent to the granting of these pardons, pointed out to his followers that such pardons were not valid without the consent of Parliament: and he was accused of having levied war upon the King after the granting of the Royal pardons. A reward of 1,000 marks<sup>1</sup> was offered for him, and also a reward of five marks for any who should thenceforth be taken in his company. He made an abortive attempt to secure Queensborough Castle near Rochester, and, seeking refuge in the woodlands around Lewes, was pursued by Alexander Iden (who had then only just been elected to the shrievalty of Kent) and others. Cade, in fleeing towards Lewes, seems instinctively to have sought the place of his strongest support and his old home, for we find that one John Davy was rewarded for good service rendered in capturing "that great traitor and rebel, who called himself John Mortymer, at Hefeld." Iden brought the poor wretch's body to the Royal Council in London about July 15th, 1450, and he was rewarded by the appointment of Keeper of Rochester Castle (*Rot. Parl. V.* p. 313; *Devon's Issue Roll*, pp. 468-9). The Kentish insurgents chose a new captain after Cade's death, but Parliament soon quelled the rebellion. A commission afterwards sat and meted out punishment to many persons in Kent and Sussex (Holinshed).

Abroad the English were still losing ground. In 1451 Guienne and Gascony were lost, and even Calais was threatened. The supplies granted by Parliament in January, 1453, include, besides subsidies, a force of 20,000 men for the defence of the realm, to be maintained by the counties according to their substance.

In the year 28 Henry VI. (1450) Sir John Pelham made the following Grant concerning certain manors in the Rape, etc. :—

GRANT BY SIR JOHN PELHAM TO ANDREW SACKVILLE AND OTHERS, 28 HENRY VI.

British Museum, *Add. Charters* 29773.

That those present and to come may know that I John Pelham, Knight, have given, granted and by this my present charter confirmed to Andrew Sakevyle, John Leukenore, Richard Wallere, John Michelgrove, Edward (? Edmund) Mille, Richard Profeet and Andrew Thecchere their heirs and assigns my manors of Crowherst, Burgherssh and Bevilham with appurtenances in the county of Sussex, and the forest or chace of Dalington together with the hundreds of Baldeslowe, Haukesbergh and Shosewell and the advowsons of the churches of Burgherssh and Crowherst, and with all my purparty of the Rape of Hastyngs, lands, tenements, etc., To have and to hold all the aforesaid purparty of Rape or Lordship of Hastings, etc., to the aforesaid Andrew, John Leukenore, Richard Wallere, John Michelgrove, Edward, Richard, and Andrew, their heirs and assigns for ever, from the chief lords of the fee by the rents and services therefor due and accustomed—And I the aforesaid John Pelham and my heirs will warrant all the aforesaid etc. to the said Andrew, John Leukenore, Richard, John Michelgrove, Edward, Richard and Andrew, their heirs and assigns against all men for ever. In testimony whereof to this my present charter I have appended my seal. Dated at Crowherst, the 20th day of March, in the 28th year of the

<sup>1</sup> Not crowns, as Shakespeare has it.

## The Act of Resumption, 1450

reign of King Henry VI. (1450) after the Conquest. Witnesses : Thomas Echyngham, armiger, John Asshburnham, John Yellyng, Simon Bate, William Bukholte, senior, William Bukholte, junior, Stephen Adam and others.

Fragment of Seal (Latin).

Sir Thomas Hoo's title to the Rape was deemed to be, in a degree, invalidated by the Act of Resumption which was passed *ann. regn.* 29 Henry VI. on petition by the Commons—

Besechen the King's Highnes that it would please hym by the advice and assent of the Lords spirituall and temporall etc., to take, resume, seaze and retayne into his hands and possession, all Honors, Lordships, Castles, Manors etc., the which he had granted by his Letters Patents or otherwise, syth the first daie of his raigne ; and to have, hold, and receive all the premises, in and of like estate as he had them at the time of such grants made by him to them ; and that all Letters Patents or grants by him made to any person or persons of the premises or any of them be voide and of no force.

To this Petition the King agreed,—

Alwaies foreseen—that all exceptions, moderations, foreprizes, and provisions by him graunted, ordeyned or admitted or putt in writinge in that same Parliament upon the premises, should be, and stand good and available in lawe, after the forme and effecte of the contentes of the same exceptions, etc. ; and that all Letters Patent of the king made to anie person or persons named in anie of the said exceptions should be good and effectual after the forme and contentes of the same Letters Patent, by whatsoever name anie person or persons be named in anie such Letters Patent, the said Acte and Petition of Resumption, or anie thing conteyned therein notwithstandinge.

Sir Thomas Hoo, Lord Hoo and Hastings, therefore obtained from Henry VI. at the Parliament of January 10th, 1455, the following confirmation :

CONFIRMATION OF THE GRANT TO SIR THOMAS HOO (LORD HOO) AND HIS BROTHER,<sup>1</sup>  
33 HENRY VI.

(January 10th, 1455.)

Henry, by the Grace of God, King of England and France, and Lord of Ireland, to all to whom these present Letters shall come, Greeting. Know ye that of our special grace as well for the good and gratuitous services rendered unto us by our beloved and faithful Thomas Hoo knight, as for the good and faithful service done by our beloved Thomas Hoo Esquire, and their ancestors, and for certain other causes us specially moving, we do give and grant unto the said Thomas and Thomas,<sup>2</sup> their heirs and assigns for ever, all our Castles, Lordships, etc., within the Rape of Hastings in the County of Sussex with all things appertaining to the same, etc. ; also the donations, collations, presentations, advowsons and patronage of the Deanery and Prebends belonging or appertaining to our College or Free Chapel within the Castle of Hastings in the said county ; also rents and services called *blanche ferme*, *Castle-ward*, *fee-farm*, hundred silver, justice yeld, sheriff yeld, common fine, “aldermer” fines, villages, etc., reliefs, treasure trove, wreck of sea, waifs, strays, *infangetheof*, *outfangetheof*,<sup>3</sup> fairs, markets, theolonia, and all other the liberties, etc., whatsoever, of us our heirs and successors within the Castle, Lordship, etc., and Rape aforesaid ; or any parcel

<sup>1</sup> Letters patent of Henry VI. were granted concerning a plea in the King's Bench by John Pelham, Knight against William Alard of Westham, co. Sussex, and William Bukholt of Holyngton (Hollington) in the matter of 50 acres of land in Wartlyng (Wartling) and Herstmonceux (Herstmonceaux), co. Sussex, in which it was represented that the said John was a bastard and decided by the ecclesiastical court that he was legitimate. *Dat.* Westminster, October 22nd, 33 Henry VI, (1454). *Lat. Great Seal. (Add. Ch. 30184.)*

<sup>2</sup> See page 262 *ante*.

<sup>3</sup> *Infangetheof et outfandetheof*.—*Infangetheof* was a liberty granted to some lords of a manor to try all thieves their tenants within their own courts, as *outfangetheof* was a liberty of trying foreigners or strangers apprehended for theft within their own fee.



## The Rape Confirmed to Lord Hoo

thereof. We do also grant for us and our heirs, unto the said Thomas and Thomas, that they and their heirs and assigns for ever may have the return of all writs, writs of assize, mandates, precepts, and bills of us our heirs and successors ; also all manner of summonses and distrainments of the Exchequer of us our heirs and successors, or the justices or commissioners of us our heirs and successors, or other outgoings whatsoever, to be prosecuted within the Castles, Lordships, Manors, lands, tenements, fees, and Rape aforesaid ; or any parcel of the same, as well at the suit of us our heirs and successors, by us our heirs or successors separately, or by us our heirs or successors conjointly with others, or other persons by themselves, as at the suit of any description of persons whomsoever ; and all manner of execution of the same ; and that no sheriff, coroner, or any other the minister of us our heirs or successors shall have such return or execution, or in any way intermeddle with, or intrude on occasion thereof, the Rape aforesaid. We do also grant for us and our heirs unto the said Thomas and Thomas, that they their heirs and assigns for ever may have all goods and chattels, as well of all their men as all their tenants, entirely tenants or not entirely tenants, residents and non residents, and other inhabitants whomsoever, of and in, etc., the Rape aforesaid, or within any of them ; felons, fugitives, outlaws, etc., whomsoever for their defaults ought to forfeit life or member, or should flee and not be willing to abide judgment, etc., such goods and chattels may belong for ever unto the said Thomas and Thomas their heirs and assigns, and they and their ministers shall be lawfully empowered to put themselves in seisin of the same without impediment of us our heirs or successors, or the justices, etc., although such goods and chattels should have been before in the possession of us our heirs and successors. Also that they their heirs and assigns for ever may have all fines for forfeitures, etc., year, day, and waste strepp, and all other things which to us our heirs or successors might belong of such year, day, and waste strepp, of and in the castles, lordships, manors, lands, tenements, fees and Rape aforesaid, before us our heirs and successors, and be empowered to levy, receive same, etc.

We do grant also for us our heirs and successors unto the said Thomas and Thomas, that they their heirs and assigns for ever may have all goods and chattels called manuopera within the Castles, Lordships, etc, and that the said Thomas and Thomas their heirs and assigns may have all goods and chattels of suicides, escaped felons, etc. ; also all goods and chattels whatsoever of persons put in exigent for treason or felony ; also deodands and all goods and chattels of whatsoever men and tenants, for murder, rape of women, robbery, contempt, transgression, debt, accompt, or other occasion or cause whatsoever ; and that it may be lawful for the same Thomas and Thomas that they, their heirs and assigns, as well by themselves as by their ministers, without impediment of us our heirs and successors, or our justices, etc., may put themselves in seisin of the same goods and chattels, although the said goods and chattels should have been before taken by us or the ministers of us our heirs and successors.

We do also grant for us our heirs and successors unto the said Thomas and Thomas that they and their heirs and assigns for ever may have free warren in all their lordships and lands within the said county ; in such wise that none may enter such lands or have liberty to course over the same without licence and permission of them the said Thomas and Thomas and their heirs and assigns under the forfeiture otherwise of ten pounds ; and that the said Thomas and Thomas their heirs and assigns may have and constitute their own proper coroner in all the castles, lordships, manors, lands, tenements, fees, and Rape aforesaid ; and that the said coroner may have full power and authority to exercise and do all and singular acts appertaining to such office of coroner in the castles, lordships, manors, lands, tenements, fees, and Rape aforesaid ; so that no coroner of us our heirs or successors may in any manner intermeddle in the castles, lordships, manors, lands, tenements, fees and Rape aforesaid, or in any of them ; and also that the said Thomas and Thomas, their heirs and assigns may for ever have and constitute a clerk or clerks of the market within the castles, lordships, manors, lands, tenements, fees, and Rape aforesaid. Moreover we do grant unto the said Thomas and Thomas, and their heirs and assigns, that they and the heirs and assigns of them for ever, may have all rents and services which John Pelham, Knight, should pay to us for the manors of Crowhurst, Burwash, and Bivelham, and the hundreds of Hawkesberghe, Baldeslowe, and Shoeswell with their appurtenances in the said Rape and other rents and services whatsoever, due or belonging to us, or from any other person within the Rape aforesaid. And lastly of the abundance of our grace, for greater security and establishment of the liberties, franchises, and immunities by us granted and allowed to the said Thomas and Thomas, their heirs and assigns, and that the same may be for times to come more firmly assured to them, and they the better enabled to use and enjoy the same for ever, We do grant for us our heirs and successors unto the said Thomas and Thomas that it shall be lawful for them, although the same shall not have been used or been abused, to hold and enjoy the same liberties,

## Lord Hoo's Will Concerning the Rape

franchises, and immunities the not using or abusing of the same in anything notwithstanding. And also we do grant unto the said Thomas and Thomas and their heirs, etc., that they may put themselves in seisin of all the things above granted; the not making express mention in these presents of the true value of all and singular the premises, or any of them or of any gifts or grants by us or any of our progenitors to the said Thomas and Thomas or either of them before these times made, or any statute, act, ordinance, provision, restriction, or mandate to the contrary thereof made or had notwithstanding. In witness whereof we have caused these our letters to be made patent. Witness myself at Westminster on the tenth day of January in the thirty-third year of our reign [1455].

WYMBYSHE.

By him the King and of the date aforesaid by authority of Parliament. (Abstract from the Latin.) (*Add. Ch.* 30051).

During the autumn of the very year in which this grant was made the King became imbecile, and the Duke of York was appointed Protector during the King's incapacity. At this time Lord Hoo and Hastings seems to have been obliged to seclude himself from public affairs. On May 24th, 1454, he pleaded that he was too sick and feeble to attend the Parliament which had met at Reading, and had adjourned to Westminster. Being perhaps slightly suspected of disaffection he was then fined £20, half of the amount of the maximum fine for absence,<sup>1</sup> but on July 24th he was again charged with absence on June 25th, and was commanded to attend in October.<sup>2</sup> With whatever feelings he may have regarded York's administration it appears that there was probably ample cause for his absence, for on February 13th, 1455, he died. He had executed his last testament only the day before. The will (in part) is now given.

### THE TESTAMENT OF THE LORD HOO.

(*Proved at Lambeth, December 7th, 1456.*)

I, Thomas Hoo, Knyght, Lord of Hoo, and of Hastings, the XIIth daye of february, the yere of King Henry the sixt the xxxiiij, beyng in good mynde, make this my wyll and ordenaunce after the fourme that followith. ffyrst y will that myne ffeoffys and myn executors ordeyn XX marks wourth lond of yerely value, theye to give it in to mortmayn to the abbot and convent of Batail and to their successors, or to geueue theym money as myne executors can agree w<sup>t</sup> theym, they to fynd two monkes synggyng Imperpetuite at Saint Benyngnys<sup>3</sup> awtyn In the sayd Abbey for me and myn awncetours, and for such personnes, as myne executors wyll ordeyne. Item (*inter alia*), I wyll as for Hastings Rape that hit be sold by my ffeoffys, and the money thereof to be dysposed by myn executours to the mariage of my daughters, and that my brother bye hit afore any other man yf hym lyst.

In Wyttensse whereof to this my present Wyll Indented, I have put to my seale of myn armes, wrytten the daye and yere above sayd.

The executors named in the will were his wife Eleanor, and his half-brother Thomas Hoo; but they renounced, and letters of administration with the will annexed were granted at Lambeth on December 7th, 1455, to Richard Lewknor, as appears by an entry in the register of Archbishop Thomas Bourchier (fol. 39), but there is no copy of the will.

The Mandate and Inquisition on Sir Thomas Hoo's death bear date respectively February 19th and April 28th in the same year (1456), from the latter of which it appears that he died possessed as above of the Rape of Hastings, etc., having a deed of conveyance from Sir John Pelham junior of the same, as mentioned, dated February 19th, 24 Henry VI.

<sup>1</sup> Nicolas, *Priv. Coll.*, vol. vi., p. 181.

<sup>2</sup> *Ibid.*, p. 216.

<sup>3</sup> St. Benignus was the apostle of Burgundy, where the Hoos' skill in diplomacy had been exercised. The saint's principal feast was on November 24th.



## Inquisition on the Rape, 1455

The King's Escheator in the County of Sussex was directed to take in custody Lord Hoo's lands in Sussex until otherwise commanded, and to enquire by jury if the same were held of the King *in capite* and by what service—and the value of such lands. Also as to the date of Lord Hoo's death, and who was his heir and the age of such heir (Westminster, February 19th, 33 Henry VI. [1455]).

An Inquisition taken at Batyl (Battle) the twenty-eighth day of April in the thirty-third year of the reign of King Henry the Sixth since the Conquest, before John Rayman Escheator of our lord the King in his county of Sussex, by virtue of the writ of our said lord the King directed unto the said Escheator, and annexed to this Inquisition, by the oaths of William Tomset, John Bourder, Robert Pepisden, Richard Burgham, Richard Aleyn, William Hamond, Robert Atte Wode, Richard Creche, William Martyn, Thomas Wynhawe, Richard Waterman, John Catstrete, Michael Grove, and Robert — who say upon their oath—that Thomas Hoo, Knight, in the said writ named, held neither lands nor tenements in his lordship neither in service, in the said county the day that he died, of the lord the King *in capite* nor of others ; but they say upon their oath, that a certain John Pelham, Senior, Knight, was seized of the Lordship and Rape of Hastings with the appurtenances in the said county in his lordship as of fee, and being so seized thereof, he, by his charter dated the 17th day of June in the fourth year of King Henry the Sixth, did give the said Lordship and Rape amongst other things unto John Pelham knight, his son, by the description in the said Charter contained, and to his heirs and assigns, who being so thereof seized did by his Charter, dated the seventeenth day of February in the 25th year of the same King (amongst other things) give and grant the Lordship and Rape aforesaid with the appurtenances, by the description in the said Charter contained (except certain manors among other things in the said Charter specified) unto William Pole Marquis of Suffolk, Thomas Lewkenore, Knight, deceased, Thomas Hoo Esq., and others in the said Charter named, and their heirs and assigns for ever. By virtue of which gift and grant to the said Marquis, Thomas Lewkenore, Thomas Hoo Esq., and others enumerated in the said Charter, they were thereof seized in their lordship as of fee. And they the aforesaid jurors lastly say—that Thomas Hoo died on the thirteenth day of February last past, and that Anna the wife of Geoffrey Boleyn, one of the daughters of the aforesaid Thomas Hoo, Knight, and Anna, Alianore, and Elizabeth, three other daughters of the said Thomas are his next heirs ; that the aforesaid Anna the wife of Geoffrey is aged thirty years and more ; the aforesaid Anna, one of the other daughters of the said Thomas is aged seven years and more ; the aforesaid Alianore is aged five years and more and the aforesaid Elizabeth is aged four years and more. In witness whereof the said jurors have to this Inquisition indented put their seals. Dated the day, place, and year abovesaid.

Owing probably to the disturbed state of the country, the arrangement with Battle Abbey was not carried out till 1480, twenty-five years after the testator's death ; but the option suggested in the will, as to discharging the lands in Sussex from the entail on the brother Thomas and his heirs, was adopted when the youngest daughter (Elizabeth) came of age.

For some years Thomas Hoo (junior) seems to have kept apart from public life, but returned to it in 1472, when he represented Horsham in Parliament. Eight years afterwards he carried out the directions in his brother's will, concerning the arrangements with the Abbot and convent of Battle ; and accordingly by deed of gift dated September 21st, 1480, he granted to John, Abbot of the monastery of Battle, and the convent thereof, yearly rents of twenty marks, arising from lands, tenements, etc., in various Sussex manors for maintaining two monks within the monastery of Battle, to celebrate at the obsequies and to all future times, in the church of the said monastery, to pray for the salvation of the soul of Sir Thomas Hoo, Knt., late Lord of Hoo and of Hastings, deceased : for the good state and the health of the souls of the donor and of Alicia his wife, and of the souls of Walter Urrey, Esq., father of the said Alicia, and Wilhelminae, mother of the said Alicia, then deceased : and also of all parents, friends, benefactors and kin of the said Thomas Hoo, Esquire, and Alicia his wife.<sup>1</sup>

<sup>1</sup> Batt. Abb. Records.

## The Hoos' Title to the Rape

Lord Hoo married twice, but had no male issue by either wife. His first wife was Elizabeth, daughter of Nicholas Wychingham, by whom he had an only child—Anna, aged thirty years at her father's death, and then married to Sir Geoffrey Bulleyn,<sup>1</sup> who was ancestor of Queen Elizabeth. Lady Bulleyn, this daughter, died in the second year of Richard III.'s reign, and was buried at Norwich.

The second wife, who survived Lord Hoo, and wedded as her second husband James Lawrence, was a daughter and heiress of Lionel, Lord Welles, by whom Hoo left three daughters, namely:—

1. (Another) Anna, aged seven at her father's death, afterwards the wife of Sir Roger Copley of Roughey;

2. Eleanor, aged five at her father's death, who married first Thomas Echingham, and he dying without issue she then married Sir James Carew of Beddington; and—

3. Elizabeth, aged four at her father's death, who married first Thomas Massingberg, citizen and mercer of London, and secondly John Devenish of Hellingly.<sup>2</sup>

All these four daughters left male issue.

The half-brother, Thomas Hoo, married early Alice, daughter of Nicholas Urry of Rusper in Sussex, who was burgess for Horsham in 1415, and his wife Wilhelmina, daughter, and one of the three children of Sir Thomas Burcestre by Margaret, the widow of the Sir Thomas Brewese (Braose) whose tomb is in the chancel in Horsham church. In 1427 a fine was levied by John Michelgrove and others, by which Roughey was settled on Thomas Hoo and his wife; and in 1428 they had conveyed to them lands in Horsham and Itchingfield, on which Godfrey Bolleyn and Thomas Bolleyn, clerk, had levied a fine.

The usual bearing of Lord Hoo and Hastings was Hoo and St. Omer quarterly, with St. Leger on an escutcheon of pretence, which were on his plate as Knight of the Garter. Impaling: Ermine, on a chief sable, three crosses patée argent: for Wychingham the first wife, and afterwards Or, a lion rampant sable (it should have been with a double tail) for Welles. He did not wear the griffin, as it appears on his grandfather's and his half-brother's seals, as a crest, but a bull statant quarterly, sable and argent horned Or.<sup>3</sup> The Hertfordshire branch of the family bore for their crest a maiden's head proper, hair Or, banded gules.<sup>4</sup>

It will be noticed in the Inquisition that the root of the title was not traced from the King's grant, but from that by Sir John Pelham to Sir Thomas Hoo. Besides the fact that the King's grant might have been open to question on the ground of its validity, the Acts of Resumption which now seem to have been almost an annual parliamentary practice, must have been extremely harassing to any one holding a grant under the Crown, and it was no doubt preferred (especially by a Lancastrian favourite), to trace a title, as far as possible, from

<sup>1</sup> Sir William Hoo seems to have had a sister, Ann, not mentioned in the pedigrees, for in the will of Sir Geoffrey Bulleyn, June 14th, 1463, a legacy is given to Dame Ann Hoo, my cousin, a nun at Berking (*Test. Vet.*, p. 300.)

<sup>2</sup> *Inq. p. m. Sussex*, 33 Henry VI., and *Harl. MS.*, 381.

<sup>3</sup> Vincent's *Knights of the Garter MSS. Coll. of Arms*. The arms of the wives of the Hoos, from the Griffiths to the Wichinghams, are emblazoned in *Harl. MS.* 181, f. 78.

<sup>4</sup> Philpot's *Herts MSS. Coll. of Arms*.



## Pelham Grants the Rape to Sir Thomas Hoo

a private individual, under these circumstances, rather than direct from the King.

Early in 1455, the King seems to have recovered his senses, and he at once resumed sovereign authority. York was dismissed from the government, with many of his colleagues. On May 14th, 1455, Thomas Hoo, Esquire, was appointed one of the seven commissioners in Sussex to raise money for the defence of Calais (*Privy Council*, vol. vi., p. 242).

The Duke of York, dissatisfied with his position, now headed a rebellion: and demanded the arrest of certain of his opponents in the government. The King gave him battle at St. Albans on May 22nd, 1455, but was defeated and taken prisoner, while his chief supporters were slain. The Duke of York as High Constable, now again headed the government, nominally under Henry,<sup>1</sup> who again lost his mind in November. He recovered once more in February, 1456, and two years of comparative quietude ensued at home.

In this year (1456, 34 Henry VI.) Thomas Hoo, Esquire, step-brother of the deceased Sir Thomas Hoo, Lord of Hoo and Hastings, appears to have availed himself of the clause in the will giving him a power of pre-emption on sale of the Rape—and he again seems to have preferred to obtain a fresh grant of the Rape from Sir John Pelham, Junior.

### GRANT OF THE RAPE ETC. FROM SIR JOHN PELHAM, JUNIOR, TO THOMAS HOO, ESQ.

By deed of this date John Pelham, Knight, (son of Sir John Pelham) gives, grants, and confirms unto Thomas Hoo, Esq., Nicholas Husee, Esq., Thomas Hanwell, Clerk, John Gaynesford, Armiger, William Gaynesford, John Michaelgrove, Esq., William Thwaytes, Henry Pole citizen and goldsmith of London, Thomas Herteley, Clerk, and John Wodye, unto the use of the said Thomas Hoo, the Lordship and Rape of Hastings with the appurtenances by the name of—The Lordship, Barony, Honour, and Rape of Hastings with their appurtenances in the county of Sussex, hundreds, wapentakes, etc., advowsons of churches, abbeys, priories, chapels, chantries, hospitals and prebends, the rent or service called Castleward, blanche ferme, hundred silver, justice yeld, common fyne, and other rents, etc., marriages, reliefs, escheats, etc., liberties, franchises, etc., and other profits whatsoever, within the said Rape or to the same belonging or being; sheriffs' turns annually to be held at Derfold (Darvel), also whatsoever to the said Rape hundreds, courts, turns, etc., and also return of writs, etc., to be prosecuted within the said Rape, and execution of the same; also all fines, etc., whatsoever made or forfeited, of tenants, etc., within the said Rape aforesaid; in all respects as freely and entirely as John Duke of Brittany or any of his ancestors held or occupied the same, except the manors of Crowherst, Burgherssh (Burwash), and Bivelham (Bibleham in Mayfield), the parks of Crowherst and Dudewell (in Burwash), with the advowsons and knights' fees, also the knights' fees late of Ralph Scoteny belonging to the said manors, the forest or chace of Dallyngton, the hundreds of Baldeslowe, Hawkesbergh, and Shoeswell, a certain rent of fourteen shillings and threepence called common fine, issuing from divers lands and tenements with all their appurtenances, with all and all manner of liberties, franchises, jurisdictions, issues and profits etc.; to hold to the said Thomas Hoo, Nicholas Husee, Thomas Hanwell etc., their heirs and assigns for ever. Witness Richard Fenys, Miles, Thomas Echyngham, Armiger, Richard Dalyngham.

Dat. May 1st, 33 Henry VI. (1455). Lat. 10 seals (*Add. Ch.* 30052). Dated 34 Henry VI.<sup>2</sup>

<sup>1</sup> A general pardon was granted by King Henry VI. to Sir John Pelham, for all transgressions, rebellions, etc. Westminster, October 1st, 1455. This is in the usual form of pardons, and gives no particulars.

Latin. Broken seal mutilated in places. (*Add. Ch.* 29268).

<sup>2</sup> Andrew Theccher released to John Lewkenore, Richard Waller, John Mychelgrove, and Richard Profete all the manors etc., mentioned in the charter from Pelham to Sackville and others, 28 Henry VI. (1450).

Dat. Laughton, June 8th, 35 Henry VI. (1457). Latin. Fragment of Seal (*Add. Ch.* 29974).

## Castle Guard in the Time of Henry VI.

LIST OF SUMS PAYABLE FOR CASTLE GUARD. *Temp. Henry VI.*

(From the Pelham MSS.)

Ward of Echingham.							
	£	s.	d.	£	s.	d.	
Echyngnam . . . . .	o	17	o				
Crowhurst . . . . .	o	4	6				
Brokelhurst . . . . .	o	3	o				
Hamerden . . . . .	o	2	4				
Pashley . . . . .	o	6	o				
Watlington . . . . .	o	3	o				
Todehurst . . . . .	o	o	9				
Wygshyll . . . . .	o	3	o				
	<hr/>			I	19	7	

Ward of Warbylton.							
	£	s.	d.	£	s.	d.	
Warbylton . . . . .	o	7	6				
Bevyllham . . . . .	o	9	o				
Ashburnham . . . . .	o	6	o				
Herstmonceaux . . . . .	o	7	6				
	<hr/>			I	10	o	

Ward of Werling.							
	£	s.	d.	£	s.	d.	
Wiltyng . . . . .	o	9	o				
Nedderfeld . . . . .	o	9	4½				
Idyngton . . . . .	o	5	2¾				
	<hr/>			I	3	7	

Ward of Fairleigh.							
	£	s.	d.	£	s.	d.	
Bodyham . . . . .	o	12	o				
Kychynour . . . . .	o	3	o				
Idenne . . . . .	o	3	o				
Morle . . . . .	o	3	o				
Frenchcourt . . . . .	o	10	6				
Gestlynge and Gensing . . . . .	o	3	o				
Iclesham . . . . .	o	6	o				
	<hr/>			2	o	6	
Total	<hr/>			£6	13	8	

The next year (1457) England was thrown into great alarm by the unresisted landing of the French at Sandwich and Fowey. However, the enemy did not proceed farther inland. The supposed reconciliation of the Lancastrian and Yorkist parties in 1458 proved abortive, and in September, 1459, there was an outbreak headed by the Earl of Salisbury. This Earl was a son of Ralph Neville, Earl of Westmoreland (life-tenant of the Honours of Richmond and Hastings) by Joanna Beaufort, Somerset's aunt. Portions of Henry's troops were defeated at Bloreheath: a fight followed by the attainder of the Yorkist lords, which in turn led to an attack by those lords in 1460. A battle between the rival "roses" took place at Northampton on July 10th, 1460, and Henry was once again captured. In the Parliament holden in October, 1460, York claimed the Crown of England. This claim was eventually compromised, it being enacted that the King should remain sovereign during his life, and that the Duke or his heir should succeed him. Meanwhile the Queen, who was as brave and active as Henry was timid and impotent, had retired to the North and busied herself in raising an army in the King's name.

York and Salisbury hastened northwards, but losing part of their army, they were suddenly overwhelmed and slain by the Lancastrian troops at Wakefield (December 29th, 1460). The Duke of York's eldest son, Edward, Earl of March, now took the offensive, and defeated the Lancastrians at Mortimer's Cross (February 3rd, 1461). The Earl of Warwick, in whose custody was the King, was sore beset by Queen Margaret's troops at St. Albans (February 17th, 1461).

The Southern magnates who had been with the King (finding that he had

A Pardon and Grant of Confraternity was made by the "*Camerarius, custos, et procuratos*" of the hospital of the Holy Trinity and St. Thomas the Martyr in Rome, to Sir John Pelham and Johanna his wife, as authorised by a bull of Pope Pius II., dated vii. Id. Jan. (Jan. 7th), 1458. London, January 2nd, 1459. Lat. (*Add. Ch.* 29264).

Sir John Pelham, Knight, made his will bequeathing manors and lands in Sussex to his wife Johanna and his sons John, William, and Thomas. May 20th, 1458. Signature and seal of Sir John Pelham. Lat. (*Add. Ch.* 29482).



## Hoo at the Battle of St. Albans

neither spirit, determination, countenance, nor address, to put life and animation into the people on his side, but rather that his heart was on the other side and leant towards the Queen, his wife) "providing prematurely for their own escape" withdrew themselves from their sovereign, leaving him almost defenceless. When all this had happened there went to the King, says the chronicler, John de Wethamstede,<sup>1</sup> "an esquire learned in the law and sufficiently eloquent" ("*satis facundus*"), "Thomas Hoo by name, who suggested to his royal master, that considering the position in which he stood—how indeed he was almost alone, without leaders, without commanders, without standard-bearers, or fighting-men, and even without any other men-at-arms adhering to his side, sufficient for the safe custody of his person—he should send some fit man to the army of the North, and to the lords in command of it, to signify to them, not only for the causes before mentioned, but also because he now knew better their good will towards him, that he was willing to associate himself in one common cause with them, and was ready to come to them, and to remain with them, as he had previously remained under the control of the Southern lords." The advice was adopted, and Thomas Hoo himself was sent on the mission. Going to the Earl of Northumberland, to whom he was best known, and opening the royal pleasure to him, Hoo caused the earl to bring to him several other lords, who soon conducted the King himself to the nearest tent (which was Lord Clifford's), and then going out for the Queen and the Prince led them both into the King's presence. Henry displayed unaffected joy at the meeting; he took his wife and boy to his arms, returning thanks to God for allowing his wife to escape all dangers and all enemies, and to have thus gained a happy triumph: and the King having knighted the young Prince, the royal party set out for the Abbey of St. Albans, where the Abbot and monks received them all with honour, and led them amidst hymns and chants to the high altar and the shrine containing the holy relics (*feretrum*) and thence to their apartments.

Warwick afterwards joined Edward, Earl of March, now Duke of York, at Chipping Norton, and they hastened to London. Here the citizens received them well, and on March 4th, 1461, the young Duke of York was proclaimed King under the title of Edward IV. The battle of Towton (March 29th, 1461), where Edward defeated the Lancastrians, blasted for a time the hopes of that party. Queen Margaret, with her luckless husband and son, escaped to Scotland, and shortly afterwards Parliament, in its subserviency to the Yorkist cause, declared Henry and his Queen attainted for high treason!

<sup>1</sup> *Whetham*, p. 500.

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Mandate to the Dean of the King's Free Chapel of Hastynges to induct Master Richard Bole, bachelor of civil law, into the prebend of Westhurrok, void by resignation of Master Thomas Graunt, to which Thomas, Bishop of London, has admitted him at the presentation of Thomas, Archbishop of Canterbury, Nicholas Wymbysshe, John Fray and John Andrew, patrons and to assign to him a stall in the choir. Westminster, March 8th, 1461.

### *Summary and Noticeable Points in the Grants relating to the Title.*

If the Rape of Hastings passed with the Earldom of Richmond from 16 Edward III. to 1 Henry IV. (when the grant was made to the Earl of Westmoreland) it was entirely severed from that Honour by the grant to Sir John Pelham *an.* 14 Henry IV., which bestowed on him the Rape as an independent Barony, though under the erroneous description of "Parcel of the Honour of Richmond," together with its three appurtenant manors of Crowherst, Burwash, and Bevilham;

## Summary Relating to the Title of the Rape

and it is granted in the like manner by the same Sir John Pelham to his son, *an.* 6 Henry VI. (p. 37).

The land in the Rape held by the last Duke of Brittany, is stated in the Inquisition 7 Henry VI. to have decreased from 52 to 14 knights' fees, and to have been then divided between Sir John Pelham, and divers other persons, in lots, so separated that neither of them then held apart the fourth part of a fee, or more than 140 acres. The names of the then tenants are enumerated in the same document (see p. 252).

In the Inquisition *post mortem* Sir John Pelham, Sen., we find, as before stated, that—

The pardon of intrusion granted the same year to Sir John Pelham, Junior, recites the substance of the Grant 14 Henry IV. to his father, as also the grant from his father to himself; the latter's entrance into the Rape and possessing himself of the same; together with the King's pardon for so doing without licence. The Grant 18 Henry VI. (see p. 256) contains similar recitals, and confirms the Rape and manors of Crowhurst etc. to him.

The grant to Sir Thomas Hoo, 23 Henry VI. seems to have been made, partly from the King's wish to reward him for the services which he had rendered to that prince in his wars with France; and partly on account of the defect in his grandfather's grant to Sir John Pelham, a grant which describes the Rape as something that it never was,—“parcel of the Honour of Richmond.” This error having been thought to have restored the Rape to the Crown, or rather the Rape having been held thereby never to have been out of the Crown, gave the King an opportunity of obliging his favourite Sir Thomas Hoo, whose recent services to that monarch, had superseded in the royal memory the old services rendered by Sir John Pelham to his grandfather. In this grant of Henry VI. to Sir Thomas Hoo, we first find the Castle granted again with the Rape, after an interval of 176 years from the exchange of Edward I. with John of Brittany, during all which period it had been severed from the Rape, and had been vested in the Crown. And with the Castle and Rape we find granted by this same Charter, the entire list of feudal privileges which had been enjoyed by the Dukes of Brittany. These are again afterwards more amply confirmed by the same King, *an. reg. sui* 33 to the same Sir Thomas Hoo, on account of the Act of Resumption which had taken place in the 28th year of that king, and which it seems to have been thought had restored the Rape to the Crown after the former grant *an.* 23 Henry VI.

The Petition of Sir John Pelham, Jun. (p. 45), recites in the quaint but explicit language of the time, the foregoing reasons, both for the grant to his father from Henry IV. and Henry VI.'s grant to Sir Thomas Hoo. Obtaining no redress from this Petition, Sir John Pelham (in consideration of being allowed to retain a valuable part of the estate, namely, the manors of Crowhurst, Burwash, and Bevilham, two parks, three hundreds etc.) grants, by his Charter 25 Henry VI., all his right in the remainder of the Rape etc. to Thomas Hoo, Esq., and feoffees; which latter inherited the Rape, in trust, from his brother Sir Thomas Hoo, and appears, notwithstanding the Royal grants 23 and 33 Henry VI., to have considered his title insecure without Sir John Pelham's grant, and it is observable that thereafter the title is invariably deduced from this grant of Sir John Pelham's, and not from Henry VI.'s grant to Sir Thomas Hoo.

The grant to the Bishop of Chichester of the jurisdiction of the Collegiate Church is a valuable document, as it distinctly shews that the Collegiate Church and Prebends (as well as the Castle) passed in the Grant 23 Henry VI. to Sir Thomas Hoo, under the general words in that grant, though not mentioned by name; and this College having always gone with the Castle, and only passing with this grant, is decisive as to the Castle having been in the Crown till now, and that it was never before granted from it, from the time of Peter of Savoy downwards. The Confirmatory Grant to Sir Thomas Hoo, 33 Henry VI., contains all the privileges afterwards confirmed to Lord Hastings, 2 Edward IV.



## CHAPTER XVI

### EDWARD IV



EDWARD THE FOURTH was a youth of twenty when he began to reign (March 4th, 1461). A week after his accession, he left London for the North where he won the battle of Towton against Margaret and the luckless Henry VI. The new King was crowned in London on June 28th, in the same year. The subservient Parliament declared that "all whom the King held or reputed for his rebels or enemies should lie at his mercy," and Edward's policy was in full accord with this merciless declaration. Hundreds of the nobility and gentry merely suspected of favouring the Lancastrian cause, were reduced to abject poverty by attainder and forfeiture. Thomas Hoo (the successor of Lord Hoo and Hastings) had held the Rape of Hastings between four and five years from the time when the grant was made to him and his feoffees by Sir John Pelham, Jun. Fearing perhaps that his close connection with the Lancastrians might lead to a forfeiture of his estate, Thomas Hoo, shortly after the commencement of the sitting of Edward's first Parliament (November 14th), judiciously sold the Rape of Hastings to the new King's adviser and favourite Sir William Hastings.

This Sir William, son of Sir Richard Hastings of the County of Sussex, is supposed to have been descended from the ancient family of Hastings, representatives of whom have been mentioned in some of the preceding documents as among the earliest landholders in the Rape after the Conquest, and from whom afterwards descended the Earls of Huntingdon. William de Hastings, Lord Chamberlain of the Household and of North Wales, was the first of the family to acquire the title of Baron Hastings of Ashby de la Zouche, by Patent dated July 26th, 1461 (1 Edward IV.). He was appointed Ambassador to France and Captain of Calais in 1471, Knight of the Garter, Master of the Mint, etc. On June 13th, 1483, he was sent to the block by Richard, Duke of Gloucester, and was buried at Windsor.

The following is a translation of the above-mentioned Grant:—

THOMAS HOO'S GRANT OF THE RAPE, ETC., TO WILLIAM LORD HASTINGS,<sup>1</sup>

*November 14th, 1 Edward IV. (1461).*

To all the Faithful in Christ to whom this present writing may come, Thomas Hoo Esquire, Nicholas Husee Esquire, Thomas Hanwell clerk, William Gaynesford, Henry Pole citizen and

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<sup>1</sup> Mr. Tipper in his letter to Serjeant Sherley respecting the Rape (see *post*) says, as to this Grant—"That Hoo himself saw that his title which he had by Henry VI. was gone by the Act of Resumption, and therefore he now claymed only by Grant from Sir John Pelham." This is not, however, the fact, as the Rape was excepted in that Act. The true reason for Hoo claiming from Sir John Pelham seems to have been his doubtfulness as to the validity of Henry VI.'s Grant, on account of the prior title of Sir John Pelham Senior derived from the Grant of Henry IV.

## Thomas Hoo Grants the Rape to Lord Hastings

goldsmith of London, Thomas Herteley clerk, and John Wodye, Greeting in God Everlasting.— Know Ye that we, the said Thomas, Nicholas, Thomas, William, Henry, Thomas, and John, have given, granted, and by this our present writing have confirmed unto William Hastings, Lord de Hastings, Knight, the Lordship, Barony, Honour and Rape of Hastings, with their appurtenances in the county of Sussex, with the hundreds, wapentakes, etc. (The parcels the same as in the preceding grant from Sir Thomas Pelham to Lord Hoo, dated 1455) ; sheriffs' turns annually to be held at Derfold ; the returns of writs, etc., to be presented within the said Rape, with execution of the same ; also all issues, fines, etc., whatsoever made, forfeited, or adjudged, of all tenants, etc., within the said Rape ; in all things as freely and entirely as John, Duke of Brittany, had or occupied the same, or any of his ancestors had or occupied the same (excepting the manors of Crowhurst, Burghershe, and Bivelham, the parks of Crowhurst and Dudewell, as in the preceding grant) ; which said Lordship, Barony, Honour, and Rape, hundreds, wapentakes, views of frankpledge, and other premises (except as before excepted), we, the said Thomas, Nicholas, Thomas, William, Henry, Thomas, and John Wodye, together with John Gaynesford Esq., John Michaelgrove Esq., and William Thwaites, now deceased, late had to us our heirs and assigns of the gift, grant, and confirmation of John Pelham, Knight, son of John Pelham, Senior, Knight, by his certain Charter Indented to us thereof made. To have and to hold all the abovesaid Lordship, Barony, Honour and Rape, with their appurtenances, hundreds, etc. (except as excepted), unto the said William Hastings his heirs and assigns for ever, of the chief lords of the fee of the same by the services thence due and of right accustomed. And moreover I, the said Thomas Hoo and my heirs, the said Lordship, Barony, Honour and Rape aforesaid with the appurtenances, and all and singular other the premises (except as excepted) to the said William Hastings his heirs and assigns, against all persons will warrant and for ever defend. In testimony whereof we have to this our present writing put our seals ; these being witnesses, Richard Fenys Lord de Bacor', Knight, Thomas Ecchingham Esq., Robert Oxenbrigg Esq., Henry Hall Esq., Babil' Gruntford Esq., and many others. Dated the 14th day of November, in the 1st year of the reign of King Edward the IV. since the Conquest. Seven seals (*Original in Hastings Museum*).

The letters of Attorney from Hoo, etc., feoffees, to deliver possession to William Lord Hastings of the Rape, and that from the said Lord Hastings to take possession for him are as under.

### LETTER OF ATTORNEY FROM THOMAS HOO, ETC., TO DELIVER POSSESSION TO LORD HASTINGS, NOVEMBER 14TH, 1461 (1 Edward IV.).

To all the Faithful in Christ to whom this present writing may come, Thomas Hoo, Esquire, Nicholas Husee Esq., Thomas Hanwell clerk, William Gaynesford, Henry Pole citizen and goldsmith of London, Thomas Hertley clerk, and John Wodye, Greeting in God everlasting. Know ye us to have made, constituted, and in our place to have put our beloved in Christ Bartholomew Bolney, and William — our true and lawful attorneys conjointly and separately to deliver for us and in our names, unto William Hastynges Lord de Hastynges, Knight, full and peaceable possession of and in the Lordship, Barony, Honour and Rape of Hastynges with their appurtenances in the county of Sussex, according to the true form and effect of a certain Charter to the said William Hastynges thereof made ; hereby ratifying and confirming all and whatsoever they our aforesaid attorneys, or any of them, shall do or cause to be done in the premises. Witness, etc. Dated November 19th, 1 Edward IV. Seven Seals. (*Original in Hastings Museum*.)

### LETTER OF ATTORNEY FROM LORD HASTINGS TO TAKE POSSESSION, DECEMBER 14TH, 1461 (1 Edward IV.).

To all the Faithful in Christ to whom this present writing may come, William Hastynges, Lord Hastynges, Knight, Greeting in the Lord Everlasting. Know ye me the aforesaid William to have made, constituted, and in my place put, my beloved in Christ Robert Fenys Esq., Robert

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Feoffment by John Leukenore, Armiger, and Richard Profyte to Thomas (Bourchier) Archbishop of Canterbury, Henry (Bourchier) Earl of Essex, Edward Nevyle, Baron Bergevenny (Abergavenny), John Bower Baron Berneys (John Bourchier Baron Berners), Roger Leukenore, Miles, etc., of the same manors, etc., mentioned in the Charter of Pelham to Sackville and others, 28 Henry VI. (1450) to perform the will of John Pelham, Miles. Witness, Humphry Sakevile, Henry Halle, Robert Oxenbrigg, Armiger. Dat. Crowhurst, October 2, 1 Edward IV. (1461). Latin Seal. (*Add. Ch. 29975*.)



## Confirmation of the Rape to Lord Hastings

Oxenbrigge, and William Stephens, my true and lawful attorneys, jointly and separately to receive or me and in my name from Thomas Hoo Esquire, Nicholas Husee Esq., Thomas Hanwell clerk, William Ganesford, Henry Pole citizen and goldsmith of London, Thomas Hertley clerk, and John Wodye, full and peaceable possession and seisin of and in the Lordship, Barony, Honour, and Rape of Hastings with their appurtenances in the county of Sussex, according to the true form and effect of a certain charter thereof made by the said Thomas, Nicholas, Thomas, William Gaynesford, Henry, Thomas and John, hereby ratifying and confirming all and whatsoever my aforesaid attorneys do or any of them may do in the premises. In witness, etc. Dated the 14th day of December, 1st of Edward IV. One Seal. (*Original in Hastings Museum.*)

1 Edward IV.—the King granted any right in the reversion of the Rape, etc., which might have accrued to him for want of heirs of the body of John of Gaunt, to William Lord Hastings, and confirmed the same to him and his heirs with ample privileges; together with the advowsons of the College Church and Prebends, the advowsons of the parish churches of All Saints and St. Clement of Hastings, etc., to hold in all respects as fully and entirely as John of Brittany had held the same.

CONFIRMATION BY EDWARD IV. OF THE RAPE, CASTLE, ETC., TO LORD HASTINGS.<sup>1</sup>

(PAT. R. 1 *Edward IV.* p. 5, No. 75.)

Edward, by the Grace of God, King of England and France, and Lord of Ireland, to all to whom these present letters may come, Greeting. Know ye that whereas the Lord Edward, of famous memory, late King of England, the third since the Conquest, our most noble progenitor, by his Letters Patent dated at Westminster the sixth day of March in the twenty-fifth year of his reign, reciting the grant to John of Gaunt (see p. 200), who was seized of the aforesaid Earldom, Honour Castle of Richmond, Manor, lands, tenements, and places, with the appurtenances in his lordship as of fee intail, and principally amongst other things, of the Lordship, Honour, and Rape of Hastings, with all its members, hamlets, and appurtenances in the county of Sussex, as being parcel of the said Earldom of Richmond, the reversion whereof was reserved unto our said progenitor and his heirs; and reciting the death of the said John of Gaunt, and reciting the descent unto Henry the Fourth, "late in deed but not of right, King of England as son and heir of the said John;" and reciting the grant by King Henry IV. to Ralph Nevill (1 Henry IV.) (see p. 230). And reciting the grant by the same Henry the Fourth by his letters patent dated at Westminster the 21st day of November in the fourteenth year of his reign (see p. 243), unto John Pelham, Knight, of the manors of Crowherst, Burwashe, and Bevyllham with their appurtenances in the county of Sussex; together with the Rape of Hastings in the same county, *which then were parcel* of the Castle, Earldom, Honour, and Lordship of Richmond aforesaid (the not making express mention of the value of the manors and other places in such letters contained, or of any other gifts and grants by him the said late as aforesaid King, or his dearest lord and father John, late Duke of Lancaster, then deceased, to the same John Pelham before those times made in the same presents notwithstanding) as in such letters is more fully witnessed; by reason of which letters the same John Pelham after the death of the same Earl of Westmoreland was seized of such manors, lordship, and Rape, etc., and reciting the grant by the said Sir John Pelham to his son John Pelham Junior (see p. 250); and reciting the grant by Sir John Pelham Junior to Thomas Hoo and others (6 Henry VI.) of the Lordship and Rape aforesaid with the appurtenances, by the name of The Lordship, Barony, Honour, and Rape of Hastynge with its appurtenances in the county of Sussex (see p. 266); by virtue of which gift grant and confirmation they were seized of the said Honour, Lordship and Rape with the appurtenances and other premises (except as excepted) in their lordship as of fee; and the said John Gaynesford, John Michaelgrove, and William Thwaites (therein named) having died, and the said Thomas Hoo, Nicholas, Thomas, William Gaynesford, Henry Thomas, and John Wodye surviving them did by their Charter give grant and confirm unto our knight William Hastings our Chamberlain, by the name of Sir William Hastings Lord Hastings the same Lordship, Honour, and Rape with the appurtenances and other premises (except as excepted) to have to him and his heirs for ever; which same, William Hastings by virtue of such gift grant and confirmation was at that time seized and possessed of the same Lordship, Honour and Rape, with their appurtenances and all other the before mentioned premises (except as excepted) in his lordship as of fee.

We of our special grace and in consideration of the commendable and faithful service which

<sup>1</sup> An Inspecimus and Confirmation of this deed was granted December 15th, 1487 (3 Henry VII.).

## The King's Confirmation of Lord Hastings' Title

the said William Hastings hath rendered us, and daily and unceasingly doth render, as well about our person as by other continual assistance, the right title estate and possession of the same William Hastings, of, and in, the said Lordship, Honour, and Rape so to him as aforesaid granted, do accept, ratify, and to the same William Hastings and his heirs according to the tenor of the same presents, do confirm; and further we do remit and release by these presents unto the same William Hastings and his heirs, all our right and title in, and to, the same and every part whatsoever of the same; and moreover of the fulness of our grace we have pardoned, remitted, and released to the same William, all manor of gifts, alienations, and dispositions, thereof had and made *without royal licence* (not willing that the same William or his heirs, should by occasion of any former gift, alienation, or disposition, be by us our heirs in any way impeded, hindered, disturbed, or molested, or be liable to be impeded, hindered, disturbed, or molested); any reversion of the Lordship, Honour, and Rape aforesaid, and other the premises so granted to the said William Hastings, *and which from the defect of issue of the body of the said John of Gaunt*, ought to remain to us, notwithstanding. And lastly we, willing that the estate of the said William Hastings of and in the premises so as aforesaid granted to him and his heirs should be provided for and secured, of the fulness of our grace do grant and by this our Charter confirm to the same William and his heirs,—the Castle, Lordship, Barony, and Honour of Hastings aforesaid in the county of Sussex, hundreds, etc. (the parcels are mentioned in the usual and general words), views of frankpledge, leets and advowsons of churches, abbeys, priories, chapels, colleges, chantries, hospitals, and prebends, within the Castle, Lordship, Barony, and Honour aforesaid being. Also we do grant unto the same William the advowsons or patronage of the Deanery and Prebends of the College or Free Chapel within the said Castle of Hastings; also the advowsons and patronage of the Churches of St. Clements and All Saints within the town of Hastings, and of the Church of St. George of Brede, and of the Saints—Thomas the Martyr, Giles, and Leonard, at and within the town of Winchelsea; also rents, customs, suits and services, etc. (in the usual terms). Also we do grant for us that the same William may have and constitute his own coroner in all the said Castle, Lordship, Barony, Honour, and Rape, lands, and tenements aforesaid [as before mentioned in the grant to Sir Thomas Hoo (33 Henry VI.)].

The document concludes with the usual covenants for quiet enjoyment and for further assurance.

In witness whereof we have caused these our letters to be made patent. Witness ourselves at Westminster on the 6th day of February in the 1st year of our reign.

During the year 1462 a desultory warfare was carried on with Margaret on the Scottish Border. In November a charter was granted to the clergy of England, exempting criminal clerks from the jurisdiction of the Crown, and annulling suits commenced against the clergy by the King's judges (Westminster, *Fœd.*, xi. : 493). Margaret, having obtained assistance from Lewis (XI.) of France, in 1464 attempted a renewal of the warfare: but her troops were defeated at Hedgeley Moor, on April 25th, and again at Hexham on May 15th.

The inclusion of the manors of Crowherst, Burwash, and Bivelham, the hundreds of Baldeslow, Hawkesburgh, and Shoeswell, and the other premises excepted in the grant from Sir John Pelham, Junior to Thomas Hoo (with the Castle and Rape in the preceding grant from Edward IV. to Lord Hastings) having (as might have been expected) occasioned great disputes, a Release thereof was executed by the said Lord Hastings to Sir John Pelham, of which we find the following abstract among the Huntingdon documents in the British Museum. *Har. MSS.*, No. 3881—

"INDENTURE BETWEEN WILLIAM, LORD HASTINGES, KNT., AND SIR JOHN PELHAM, KNT., AS TO CERTAIN MANORS, ETC., IN THE HONOUR AND RAPE OF HASTINGS.  
(5 Edward IV.)

"This Indenture made the XXVIIIth day of Marche the fith yere of the reigne of King Edward the IV. (1465) betweene William Ld. Hastynges Knyght, on that one partie, and John Pelham Knyght, on that other partie witnesseth that whereas divers variaunces have ben betwene the said parties, for the title and possession of the Manniores of Crowherst, Burgherst, and



## Certain Manors in the Rape Restored to Pelham

Bivelham, with their appurtenances, within the Honour, Lordship, and Rape of Hastinges; and also of Hundreds etc. fines, amerciements, courts, fairs, liberties, etc. belonging to same—the said John Pelham his heirs etc. shall etc. enjoy etc. the said manors etc.—Yeven the day and yere abovesaid."

One Seal. (*Original in Hastings Museum.*)

In September, to the general astonishment, Edward announced that he had for some time been married to Elizabeth, the Lady Grey, or Ferrers, of Groby, a widow, and daughter of Richard Wydville, Lord Rivers, a Lancastrian. The marriage was impolitic and unfortunate: and Warwick, who had in view the making of a foreign alliance for the King, was greatly annoyed and disappointed. The ex-king Henry VI. was arrested (1465) in Lancashire, and sent to the Tower of London. On May 8th, 1465, a commission was issued to Richard, Earl of Warwick, and Lord Hastings, the King's Chamberlain and others, to treat with the ambassadors of Philip, Duke of Burgundy, for mercantile intercourse: moreover, power to treat for peace, intercourse or a truce with Francis, Duke of Brittany, and also to treat with Lewis XI. of France and Charles of Burgundy, Count of Charolais. (*Fœd.*, 541-43). The following year almost the same commissions were again issued (March 22nd, 1466) with the additions that the ambassadors were given power to negotiate a marriage between George, Duke of Clarence, and Mary, daughter of the Count of Charolais, and to treat for a settlement of all differences with France (*Fœd.* 562-66). The result of the embassy to Lewis was so far a success that he agreed to expel the Lancastrians from France (*W. Worc.*, p. 785). A confirmation of the truce, which was to last until March 1st, 1467, was signed on June 7th. In that year Lord Hastings was again employed as one of the ambassadors to negotiate a marriage between Charles, now Duke of Burgundy, and Margaret, the King's sister. The truce with France being about to expire on March 1st, the sheriffs of Sussex and ten other counties were ordered to set beacons and watches.

The next year Edward found himself sufficiently strong to declare open war to France—but although money was raised, troubles on the Scottish Border prevented him from pushing hostilities actively. About this time a threatened attack on the coast, by Margaret and her allies, the French, was followed by the despatch of an

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Licence for John Norbury, esquire, kinsman and heir of John Norbury, viz., son of Henry Norbury, knight, son of the said John, to enter freely into all lordships, manors, lands and possessions with knights' fees, advowsons and other appurtenances, which came into the hands of Henry VI. or of the present king by the death of the said John the elder or of Elizabeth, lady Say, his wife, and are now in the King's hands and which ought to descend to him, and to retain the same in fee; saving the homage and fealty due. *By. p. s.*

John Pelham, knight, appointed Thomas Couper as his bailiff within the manors, hundreds etc. Mentioned in Charter 28 Henry VI. (1450).

Dat. April 20th, 7 Edward IV. (1467). Latin (*Add. Ch.* 29976).

Will of John Pelham, miles, with legacies to the Church of Chichester, and to his sons John, William, and Thomas, and his daughter Johanna. 1467 (?). Latin. Part of seal much obliterated and mutilated. (*Add. Ch.* 29483).

Power was given by John Pelham, miles, to Thomas (Thomas?) of Laughton to receive seisin of the manor of Bevilham (Bibleham in Mayfield) and the hundred of Shoyswell (Shoyswell), co. Sussex, demised to him by Thomas (Bourchier), Cardinal, Archbishop of Canterbury, Henry (Bourchier) 1st Earl of Essex, Roger Leukenore, miles, John Leukenore, armiger, Thomas Leukenore, Jun., Bartholomew Bolney, and John Hydeny.

Dat. Laughton, August 15th, 8 Edward IV. (1468). Latin. (*Add. Ch.* 29687).

8 Edward IV., August 15th. The Archbishop of Canterbury and others—Deed of convey-

## John Pelham of Laughton, 1471

English fleet with 5,000 men to the Isle of Wight. Owing to the King's unguarded partiality for the Queen's relations, the Wydviles, who now crowded the Court, his popularity among the nobles began to wane. The Earl of Warwick, Archbishop Neville, and Clarence, the King's brother, withdrew to Calais. Matters were brought to an issue by the rising of Robin of Redesdale in Yorkshire, and on July 20th, 1469, he defeated the royal troops at Edgecote, near Banbury. Edward surrendered himself to the Archbishop, who with Warwick and Clarence had joined the insurgents. The King was shortly afterwards set free, and granted a pardon to all. Warwick and Clarence, however, soon sought safety again in France, where they joined with the ex-Queen Margaret, and made a treaty at Amboise in 1470.

Later on (September 13th) Warwick landed at Dartmouth, and Edward IV., finding himself forsaken, fled on October 3rd to Flanders, to his brother-in-law, the Duke of Burgundy. Lord Hastings faithfully accompanied him, but with few others. They all had a narrow escape of being captured by pirates in their crossing.

Edward's Queen (Elizabeth) took sanctuary at Westminster, where shortly after the ill-fated Prince Edward (Edward V.) was born.

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ance to Sir John Pelham for life—remainder in tail of the manor of Bivelham and Hundred of Shoeswell.

Same date—Sir John Pelham's letter to take possession of the Manor of Bivelham and the Hundred of Shoeswell.

Same date—Sir John Pelham's lands at Bivelham, etc. escheated. (*Huntingdon documents. Brit. Mus. Har. MSS.*, No. 3881.)

1469, March 17th, Westminster. Grant to Baldwin Hyde canon and prebendary of the prebend of Holyngton, in the free chapel of St. Mary within the Castle of Hastynges in the diocese of Chichester, of a canonry and prebend in the king's free chapel of St. Mary, St. George the Martyr, and St. Edward the Confessor, within the Castle of Wyndsor, on an exchange with Robert Wodmanston.—By the King.

Mandate in pursuance to the warden or dean of the last named chapel. 9 Edward IV. (m. 15).

John Pelham, Knight, made his will, by which his feoffees are to enfeof William his son of the manor of Laughton, and the hundred of Sheplake (Shiplake) (excepting West Lulham in Rype and Burghfeld and Frostham in Laughton, which are to go to Joan, his daughter, for her life), and of the manor of Burghasshe (Burwash) with the advowson of Burghasshe, the forest of Dalington (Dallington) and the hundred of Haukesbergh (Hawkesborough): in tail male, with remainders in tail male to Thomas, son of the said John Pelham, Knight, and to Katherine, Cecily, and Joan, daughters of the said John Pelham, in succession, with reversion to his right heirs — and to enfeof the above Thomas of the manor of Croweherst (Crowhurst), with the advowson of Croweherst and the hundred of Baldeslowe (Baldslow) co. Sussex: in tail, with remainder in tail male to the above William and afterwards as above. Dat. Laughton, January 2nd, 10 Edward IV. (1471). Latin. Seal of Arms broken. (*Add Ch.* 30433.)



# The Abbot of Tréport Claims the Collegiate Church

## CHAPTER XVII

### HENRY VI (*Restored*)



ONE of the results of the restoration of Henry VI. affecting our subject was the daring and extraordinary claim put forward by the Abbot and Monastery of St. Michael of Tréport to be "restored" to the possession of the Collegiate Church within the Castle of Hastings and to its Prebends, by virtue of the grant to the Abbey by John Count of Eu in the reign of King Stephen, which has already been set out in this work (A.D. 1151, see p. 43 *ante*).

The Abbot proceeded by way of petition addressed to Queen Margaret of Anjou, the newly restored Queen of England, to which petition was annexed a copy of the grant bearing a notarial certificate as to its accuracy. The circumstances under which this claim was made, *a priori*, arouse considerable suspicion respecting the authenticity of the grant in question; moreover, some of the statements as to the exercise of jurisdiction over the Collegiate Church at a former time appear, so far as can be judged, to have no foundation in fact. If during the troublous reign of Stephen such a grant had been made, which is not altogether improbable, the confirmation to the Canons by Henry (II.) Count of Eu (see p. 59 *ante*), in the next reign, and confirmed by the *Inspeximus* of Edward I. would have set at rest any disputes on the subject at a very early date. The Monastery of Tréport seems to have been in doubt as to which foundation at Hastings was referred to in this Grant—and whether it should lay claim to the Collegiate Church or to the Priory of Hastings, which latter was a perfectly distinct foundation (of Canons Regular of the order of St. Augustine).<sup>1</sup> It is, however, quite clear that the grant had reference to the Collegiate Church within the Castle of Hastings.

The following Certificate was attached to the copy of the grant (given on p. 43 *ante*) on the presentation, or intended presentation of the Petition to the Queen:—

#### NOTARIAL CERTIFICATE.

"In the name of the Lord, Amen. This is a true copy or transcript of certain letters of the late illustrious prince and lord, Lord John Count of Eu, sealed at the end with a double seal, and delivered over to Michael a notary public to transcribe, the tenour of which follows word for word and is this:

Then follows the copy of the Grant of John Count of Eu (A.D. 1151) (see p. 43 *ante*).

"Of which original letters, preinserted, a collation was made with the present copy or transcript by me the undersigned Notary Public, in the year of our Lord one thousand four hundred and seventy, in the fourth indiction, on the sixth day of the month of October, in the seventh year of the pontificate of the Most Holy Father in Christ and of our Lord, Lord Paul, by divine

<sup>1</sup> Mons. P. Laffleur de Kermaingant in his index to the *Capitulaire de l'Abbaye de S. Michel du Tréport* falls into the same confusion.

## The Abbot Petitions Queen Margaret, 1470

providence, Pope, the Second. This was done in the venerable Archiepiscopal Court of Rouen in the year, indiction, month, day, and pontificate aforesaid, in the presence and hearing of William Sorger and William Duval notaries of the said Court with other witnesses summoned and requested for the aforesaid.

"And I, James de Valle, Town Clerk of Rouen by apostolic and imperial authority and sworn notary of the Archiepiscopal Court of Rouen, as I have seen the original letters, preinserted have held them and have collated them with the present copy and have found them to agree together, with nothing added or taken away that might change the substance or alter the meaning in the presence and hearing of the above named witnesses, have therefore to this transcript done above, written in another hand affixed by request my public, usual, and accustomed seal."

(From the *Vidimus* in the Archives of the Seine-Inférieure.)

The Petition to Queen Margaret of Anjou is as follows :—

(Translation.)

LETTER FROM THE ABBOT OF TREPORT TO THE QUEEN OF ENGLAND (PETITIONING) FOR THE DONATION OF THE CHURCH OF ST. MARY OF HASTINGS TO THE ABBEY OF ST. MICHAEL OF TREPORT. (*Archives of Rouen.*)

"To the very high and very excellent Princess, Queen of England.

"Your humble petitioners, the Abbot and Convent of the Church of St. Michael at Tréport, near Eu, of the Order of St. Benedict, diocese of Rouen, supplicate very humbly [Your Highness] to permit them to enjoy their ancient foundation and endowment of the Church of our Lady of Hastings situate in your Kingdom and Lordship, granted to them as appears by letters of which the Copy is annexed to this Petition.

"During the wars and divisions which have lasted so long, your petitioners have not had the power to commit the said Church to your government and administration as they had been accustomed to do previously to the said wars and divisions, and now that the said wars and divisions are—thank God—appeased, your petitioners have procured, in the person of Lord Stephen Cardon, a religious priest and professed *Prior* of the said Church who knows the facts and rules of the said order.

"That these things considered, it may please you of your very benign favour to reinstate or be the means of reinstating your Supplicants in this their Church and in their rights to the fruits, rents, and revenues belonging thereto, and that it may be ordered that your Supplicants and their aforesaid representative should be received peaceably and put into possession and allowed to enjoy and use peacefully the said Church of Hastings with the fruits, rents, and revenues appertaining to the said foundation and endowment as their predecessors did, or could do, before the said wars and divisions, ousting all other occupants and holders of the said Church notwithstanding any prior possessions, enjoyments, statutes, or ordinances made to the contrary.

"(Thus) You will perform an act of charity and benevolence, and your petitioners will ever pray God for your royal Majesty and your Noble line and Lordship.

Presumably in anticipation of the grant of the petition the Abbey and Convent of Tréport made the following appointments :—

APPOINTMENT OF DELEGATES BY THE ABBEY OF TREPORT TO VISIT THE COLLEGIATE CHURCH OF HASTINGS, SEPTEMBER 29TH, 1470 (*Capitulaire de l'Abbaye de Saint Michel du Tréport*. P. Laffleur de Kermaingant, p. 329.)<sup>1</sup>

TO ALL who shall see these letters Andrew by divine permission humble Abbot of the Monastery of S. Michael of Tréport, of the Order of St. Benedict, Dean of Eu in the Diocese of

<sup>1</sup> On the grant itself Mons. P. Laffleur de Kermaingant makes a note on the transcript that he publishes, from which the translation in this work was made—as follows :—

"One copy of the Charter only is found in the Chartulary of the County of Eu—folio 25, Ro. and in the Chartulary of the library of Ste. Geneviève, page 68.

"I have given preference to the *Vidimus* of the Charter of Count John (of Eu) because that copy is more ancient than that of the National Library, besides which, in this latter, the greater part of the names of the witnesses are abbreviated, while those in the *Vidimus* are written in full.

"The date of this donation is 1152, in the Chartulary of the National Library (Paris) and in that of Ste. Geneviève; it is 1151 in this deed and in a Copy made from the original in the 15th century, for it to be sent to Margaret of Anjou, Queen of England."



## The Abbot's Appointments to the Church

Rouen and the whole Society of the same Monastery, greeting in the Lord. We make it known that we in our Chapter assembled at the sound of the bell, as is the custom, in chapter and forming a chapter and considering, weighing fully the interests of our said Monastery and being sufficiently informed of the probity, industry, knowledge, suitability and sufficiency of the religious and honourable men, the lords James Le Moumier, Michael Semen, Stephen Cardon, Richard de Longuemort, and Nicholas de la Haye, religious men of our said monastery expressly professing, we have appointed, created, nominated, constituted and ordained, and we do appoint, depute, create, nominate, and ordain the same lords James Le Moumier, Michael Semen, Stephen Cardon, Richard de Longuemort, and Nicholas de la Haye our vicars and procurators-general and certain envoys special, agents, factors and doers of our business hereinbelow stated and every one of them conjointly, provided always that the generality shall not derogate from the speciality and that the condition of the first shall not be better nor that of his successor worse, but that what one of them shall have begun that another of them shall be empowered to continue, to carry on, to conclude and to finish effectually.

TO WIT In the place of us and for us, as well in spiritualities as temporalities, to rule and govern our church or priory of Hastings in England, depending upon our said monastery and consisting of members of the same and to receive the vows from the religious men used and accustomed to be made good by the members of the said priory on their admission, in accordance with the rule of St. Benedict and the usage of the said priory, and especially to receive the vow of obedience and from the religious men who wish again to enter into the same priory, and to admit and institute the same : and moreover to punish and correct in all lawful and legal ways and according to the rule of St. Benedict the members and others of the said priory of Hastings vassals as well by law as by custom, for their crimes offences and excesses : and further to examine concerning the causes of the members (*i.e.* the religious men, men in religion) and the vassals, and hear and investigate them and in due time end them ; to pronounce in the causes judgments interlocutory and final, and to pronounce and publish, against the vassals of the said priory, sentence of suspension, excommunication and interdict, if they deserve it : and see that such sentences are carried out, and grant, if they find it expedient, the benefit of acquittal or remission ; and to remove all officials whatsoever, as well ecclesiastic as secular, and institute and if need be appoint them afresh : to give and grant letters of their commissions : to recall to the cloister any members of the said Priory that are supernumerary : to allow the members of the said Priory or Church to transfer themselves from the said Priory to other cloisters on good cause and reside there : to seek, collect, recover and follow up the lands, tithes, houses, meadows, possessions and all other rights, movable or immovable of the Priory of Hastings : to take, obtain, preserve and maintain the possession of them : to lease and let on a term or a yearly tenancy and give and grant for such a time, at such a price, and to such persons to whom it shall seem good to them or to any one of them : and to require, receive, and hold all fruits, debts, bequests, and goods of the said Priory by whomsoever persons they are owed or detained : to give quittance of receipts and grant a quittance by a valid and solemn compact not to claim hereafter what has been paid : to present to all benefices soever, on behalf of the said Priory suitable persons, and if need be to confer such benefices : to take the oaths accustomed and requisite to be made for the same : to hold a chapter in our stead in the said Priory of Hastings : and to make and decree to the members of the said Priory the requisite precepts, monitions, and judgments : to appoint proctors in the name of and on behalf of the rights of the said Priory : and moreover to take proceedings for a certain annual payment or return a revenue of nine marks of silver due to us year by year from the religious men, the Abbot and Chapter of Robertsbridge and commence proceedings before the judges, whom it may concern, against the Abbot and Chapter of Robertsbridge or any other persons soever and take care that they be pursued and brought to a definite end : and on these things, all and several to deal, to settle, to compromise and agree : to receive all things due to you on behalf of the said Priory and of the aforesaid annual payment of nine marks of silver : and to give quittance and a valid acquittal for the receipts : to require, receive and seek all homages from the vassals of the said Priory, and generally to do, to say, to carry on, to provide and exercise other things all and several which we would do and should have power to do in the premises, if we were present in person, even if they be such as require a more special mandate, promising in good faith and under pledge and obligation of all and single of ours and of the goods of the said monastery movable and immovable, present and future to have ratified, and firm and to keep and have for ever whatsoever by our said vicars and proctors and any one of them has been said or done in the premises or in any other way provided.

In witness of the premises, all and single, we have had our seals set to the present letters

## The Abbot Appoints a Dean to the Church

Done and given in our said Chapter, in the year of Our Lord one thousand four hundred and seventy, on the last day but one of the month of September.

APPOINTMENT BY THE ABBEY OF TREPORT TO THE DEANERY OF THE COLLEGE CHURCH OF HASTINGS (*Cartulaire de l'Abbaye du Tréport*).

To all and singular about to view the present letters, Andrew, by Divine permission the humble Abbot of the Monastery of St. Michael of Tréport, of the Order of St. Benedict, in the diocese of Rouen, everlasting greeting in the Lord.

We make it known that since by the opposing wars and divisions and perils of the way which—oh, the sorrow of it!—have prevailed for a long time, we have not been able safely and suitably to visit our Church or Priory of Hastings situated in England, depending on our aforesaid monastery and consisting of members of the same, of which church of Hastings the collation, presentation, institution, nomination and all other disposition belong and pertain to us, by virtue of our aforesaid monastery and dignity as Abbot, and willing and desiring with all our hearts to display, as we are bound, the due diligence over the flock entrusted to us and to preserve unharmed the rights and liberties of our aforesaid monastery and as far as in us is, to take care for the due provision of the Priory or Church and to provide for the safety of the souls of the men-in-religion of the said Church or Priory and the privileges of our aforesaid monastery as well as our Priory or Church of Hastings, being duly informed of the sufficiency, suitability, and probity of our beloved in Christ, Master Stephen Cardon, priest of our aforesaid monastery and order, do appoint, constitute, ordain and designate the said Stephen Cardon, by consent and agreement of our brothers in religion in chapter assembled as prior and pastor of the said Priory or Church of Hastings; and the same Priory or Church of Hastings with all its rights and appurtenances whatsoever we have given and granted to the said Cardon as by these presents we give and grant, entrusting to him the care and government of the aforesaid Priory or Church and we bestow on the said Cardon the above mentioned Priory or Church of Hastings aforesaid, investing the same Cardon with all the rights and appurtenances of the said Priory or Church of Hastings, as we invest him by the imposition of our abbatial ring upon the second finger of the said Cardon, removing any illegal holder of the said Priory or Church, as of right we may remove and declare him removed. Cardon in person in our presence has taken the oath concerning the customs, rights, properties, franchises, and liberties, and the profits, revenues, and emoluments of the said Priory or Church of Hastings, to maintain and preserve them, and never alienate them, and to recover such as exist.

Wherefore to all and singular the men in religion of the said Priory or Church of Hastings and others subject to us we give it in charge to you that you, when by virtue of these presents you are required in behalf of the said Master Stephen Cardon or his lawful attorney that you place and induct, or the one of you place and induct, the said Master Stephen Cardon or his lawful attorney in his behalf, into the corporal real and actual possession of the said Priory or Church and its rights and revenues, incomes, profits, and emoluments, and that you obey and attend the said Stephen Cardon, as your prior and pastor, and to him or to his lawful attorney for him give an account and make others give an account, as far as in you lies, of the profits, revenues, and income of the said Priory or Church of Hastings.

Done in our said chapter, under our Seal which we use in such provisions, in the year of Our Lord one thousand four hundred and seventy, on the last day of September but one.

There appears to be no evidence as to whether the petition was presented or what was its fate. The King's restoration was so short-lived that, whatever happened, the incident had no effect on the future history of the Chapel or its prebends.

Clarence, who had supported Henry's restoration, soon began to feel disappointed with his position, and re-opened communication with his exiled brother. The Duke of Burgundy in March, 1471, assisted Edward with a force of 2,000 soldiers, besides money and ships, and the armament included certain hand-guns (then a novelty). After being repulsed from the Norfolk coast, Edward landed at Ravenspur in Yorkshire, then already historic ground by the landing of Henry Bolingbroke.



# The Extortion of "Benevolences"

## CHAPTER XVIII

### EDWARD IV (*Restored*)

**L**ONDON again acknowledged Edward as King, and Henry once more became a prisoner in the Tower. April 14th, 1471, was a black day for the Lancastrians, when they suffered a crushing defeat at Barnet Heath, Warwick and Henry's son Prince Edward being among the slain. What was then regarded as the final destruction of the Lancastrian cause took place at Tewkesbury on May 4th, 1471, when Edward defeated the army of Margaret, and her reinforcements fled. Edward returned to London on May 21st, and the same night Henry VI. died (perhaps murdered) in the Tower of London. Margaret was now sent to the Tower, whence she was ransomed four years later by Lewis XI. Nearly the whole of the property held by Lancastrians was forfeited. On February 29th, 1471, William, Lord Hastings, the King's Chamberlain, had been commissioned with others to treat with Charles, Duke of Burgundy (*Fœd.* xi. 737), and on June 18th, Sir William Hastings, of Hastings, now Captain of Calais,<sup>1</sup> and others were ordered to determine the boundaries of Picardy in common with the ambassadors of the same Duke.

In 1473 Edward announced his intention of re-conquering France. He raised money for this purpose by a novel mode of extortion, called "Benevolence," which meant that he called upon certain wealthy persons of his acquaintance, who did not dare refuse, for a stated sum of money as a proof of their benevolence and good-will towards him. These extortions afterwards were constantly exercised by our Kings up to 1688, and were much dreaded by the richer classes.

<sup>1</sup> He was also Captain of the Tower of Ruysbank in Picardy, and had power to appoint officers and soldiers under him "for the safe keeping of the said tower" (*ex. P.C.*, 16th September, 1 Henry VII., No. 36).

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1471, *November 3rd, Westminster. December 10th, Westminster.* Free pardon granted to John Goldyng, late one of the inhabitants of the town of Hastings, co. Sussex, within the Cinque Ports for offences committed before July 7th last. Also to Christopher Beverley gentelman, late one of the inhabitants of Fordwich, co. Kent, Thomas Caxton late of Lydde, co. Kent, Thomas Kenett, late of Folston, co. Kent, Robert Scarce, late of Rumney, co. Kent, Thomas Pette, late of the town and hundred of Tenterden, Ralph Rycher late of Walmer and Dele, co. Kent, William Durant, late of Bekisbourne, co. Kent, John Sutton, late of Rye, co. Sussex, Henry Newerk, late of the hundred of Blaketh, co. Kent, all within the Cinque Ports. By K. 11 Edward IV (*m.* 18).

1472, 12 *Edward IV.* William Passelegh (son and heir of Sir John Passelegh, Knight) remitted to John Denish (? Devenish) and others—all his right in one messuage, and 300 acres of land in the villages of St. Andrew of Hastings, St. Mary in the Castle of Hastings, and Hollington. (*Huntingdon documents*, Brit. Mus., *Har. MSS.*, No. 3881.)

An Indulgence and grant of confraternity was made by the "camerarius, custos, et procurator" of the Hospital of the Holy Trinity and St. Thomas the Martyr of Canterbury, in Rome, to

# Thomas Hoo's Acquittance to Lord Hastings, 1475

LIST OF TENANTS OF MANORS IN THE RAPE OF HASTINGS. *Temp.*  
EDWARD IV.

(*From the Pelham Manuscripts.*)

*Sr. Thomas Echingham Kt.* (*ol.* Wm. Echingham) holds by 7 knights' fees, the manors as in Echingham, Ockam, Glotyngham and Mundefeld.

*The Abbot of Battell, Vincent Fynch*, holds the manor of Watlington of the said Thos. as of his manor of Echingham by knights' service.

*Wm. Lunsford* holds the manor of Lunsford as aforesaid.

*Thomas Congehurst* holds the manor of Belhurst as aforesaid, and in Shoyswell, holds the manor of Shoyswell as aforesaid.

*The Abbot of Begeham* holds the manor of Ketchyngham as aforesaid.

*In Harmere* holds the manor of Harmere as aforesaid.

*In Faux* holds the manor of Reggis as aforesaid.

*Jn. Fynch* holds the manors of Netherfold, Ichsham, Ichyngton, formerly Wm. Willecheres, afterwards Thos. Hastings, lately Wm. Hastings by 7 knights' fees.

*Barth. Bolney, Jn. Malbesyn*, . . . *Yelding*, holds the manor of Cattesfield by knights' service of the manor of Netherfield.

*Rd. Dalingrige* holds the manor of Holynton as above.

*Richard Ld. Dacre* holds Hurstmonceaux Castle and Demesne, Gotley, Lyndyngstretre, *ol.* Jn. de Monceaux by 2 knights' fees and a half.

*Wm. Warbilton, Esq.*, holds the manor of Warbilton *ol.* Thos. Warbilton by 2 knights' fees and a half.

*Thos. Hoo* holds of Warbilton Manor, the manor of Buckstegs, *ol.* Sr. John Scynthye by knights' service.

*Geo. Pers* holds Westfield Manor as above.

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William Pelham (son of Sir John) and Emeline his wife, as authorized by a bull of Pope Sixtus IV., dated iv. Kal. Julii (June 28th) 1474.

London, January 6th, 1474-75. Latin (*Add. Ch.* 29265).

1474, November 28th, Westminster (14 Edward IV. m. 3 d.). Commission to Thomas Bulkeley to receive the tenth (among other places) of the ports of Dover, Sandwich, Romeney, Rye, Hastings, and Wynchelsey, and their members, which the commons of the realm in the present parliament of Westminster, October 6th, 12 Edward IV., have granted to the King for the defence of his realm and subjects, in part payment of the wages of 13,000 bowmen, each receiving 6d. daily for one year, and to examine and supervise the collection of the same and make delivery of the sums at the receipt of the Exchequer.

*Thomas Hoo's Receipt to Lord Hastings for Purchase of Rape.* (July 16th, 1475.)

To all Cristen Peple to whom this present Wryting shall come, see, or here, Thomas Hoo of the Countie of Sussex Squyer, sendeth Greeting in our Lord God everlastinge—and where ther was due unto the same Thomas Hoo, the some of vj. d. li. for the purchase of The Honneur, Barony, Rape, Castell, and Lordshipp of Hastings in the said Countie of Sussex with all the appurtenances, which now is had and in the occupation and possession of William Lorde Hastings Chamberlain unto our Sovereigne Lord King Edward the Fourth by the sufferance of his feoffees, amongst other in the same Honor, Barone, Rape, Castel, and Lordship, to the use and behoof of the same William Lorde Hastings and his heres for evermore.

Know ye me the foresaid Thomas to have receyved of the said William Lorde Hastings, the said some of vj. d. li. in full pa'ment of al maner of duties due to me the said Thomas Hoo by thes presents, wherof I promise to acquite and discharge, and by the same do acquite and discharge the said William Lorde Hastings his heires and executors for evermore. In wittenesse wherof to thes presente I have sette the seal of myn armes and subscribed with myn own hand. And forasmuche as my seale to dyverse and many is vnknown—the Seale of th' office of Mayoraltie of the Town of Caleis I have procured hereto to be put. And we, William Worsley Squyer, Mayr. of the Town of Caleis, at the sp'iall desire and prayer of the said Thomas Hoo, the Seale of our office of Mayoraltie to thes presentes have made to be set the xvj. daie of the monythe of Juyll. the xv. yere of the reigne of our Sovereigne Lorde Kinge Edward the iiij.

Two seals in all ; original in the Hastings Museum.



## List of Tenants of the Rape

*Wm. Cheyny* holds Badhurst Manor as above.

*Richard Dalingrigge* holds the manors of Wiltinge *ol.* Baldwin de Stowe, by 3 knights' fees.

*Thos. Hoo, Esq.*, holds the manor of Wiltling, late Sr. Thos. Hoo Ld. Hoo of Hastings, *ol.* John de St. Leodegario (St. Ledger), by 5 knights' fees.

*Ralph Pleystede* holds of Wertling, manor of Cobden, by knights' service.

*The heirs of Simon Bate and William Covert* hold Sockenershe Manor as above.

(The ancestors of the said Simon Bate purchased their part of Sir Alan Bugeshell, Knight. The ancestors of the said William Covert bought their part of Sir Thos. Echingham, Knight, the whole manor being once Sir Alan Bugeshell's).

*Richard Dalingrigge, Esq.*, holds Bodyham Manor, *ol.* Edw. Dalingrigge, Knight, in right of his wife Eliz. d. and h. of Sr. . . . Wardewe *ol.* : Nich. and Rd. Wardewe, and before that Roger de Bodiham by 4 knights' fees.

*Rd. Penherst* holds of Bodyham Penhurst Manor by knights' service which was late Nich. Wardewe's, then Richard Wardewe's aforesaid.

*Jn. de Assheburnham* holds Ashburnham Manor, *ol.* Jn. F., *ol.* Reginald A. by 2 knights' fees.

*Wm. Belknap, Esq.*, holds Knell Manor (in Beckley) *ol.* Matthew de Knell by one knight's fee.

*Richard Ld. Dacre* holds the manors of Ewehurst and Northiam, late Jn. Brenchley's. In Ashburnham *ol.* Henry Sharnedenes, Richard Codyng.

*Sir Jn. Scott* holds the manor of Leghe now called *Le Mote*, late Sr. Jn. Pashley's, before Sir Edward Pashley's, before Robert Crewquer (Crèveœur) by one knight's fee.

*John Kyriell le Bastard* holds the manor of Kychenore by one knight's fee, and the manor of Morley by half a knight's fee, late Sir Thos. Kyriell's and *ol.* Sir Edw. Pashley's.

*Thomas Boleyn* holds the manor of Pashley, late Geofry Boleyn's, before Thos. Hoo, Esq., and *ol.* Sir Edward Pashley's by two knights' fees.

*Thos. Hoo, Esq.*, holds the manor of Mouhale, late Thos. Winslow's of London, before Wm. Ld. Says, *d. ol.* Sr. Wm. de Septeva.

*John Baret, Esq.*, holds the manor of Codyng, late Thos. Baret *ol.* Thos. Hoo, Esq., and before Jn. Coding by quarter part of a knight's fee, and a rent of 8 . . . p. an.

*Elizabeth—widow of Sr. Jn. Burcaster* holds for life, remrs. to Thos. Hoo, the manor of Totyrgnworth of the fee of *ol.* Basak Walter Paveley's by quarter of a knight's fee.

*The Lord Prior of St. John of Jerusalem in Eng.* holds in Setecombe—the manor *ol.* Jn. Yesgode by a quarter of a knight's fee.

*Henry Hall* holds the manor of Ore, late E. of Hertford's by one knight's fee.

*Sir John Colpepper* holds the manor of Wyggysyll, *nup.* E. of Hertford by one knight's fee.

*Elizabeth, widow of Sir Jn. Burcaster*—the manor of Burhersshe, late Walter Paveley's, *ol.* Robert Burhersshe by half a knight's fee. Remainder to Thomas Hoo.

*The Bp. of Chichester* holds the manors of Bekkypyll, Bromstern, Somerhey, by four knights' fees.

*Lord Dacre and Thos. Hoo, Esq.*, hold the manor of Buck-holte of the aforesaid manor in socage.

*The Abbot of Robertsbridge* holds as above the manors of Fodlunge and Wellond, by three knights' fees.

*The Heirs of Bertram Herbotell* hold the manors of Hamerden and Fylsham by ten knights' fees, parcell of the same ten knights' fees *ol.* Baclow and *nup.* Ralph Scotenys.

*Jn. Wybarne* holds the manors of Brykylshurst and Settlescombe, late Henry Hall's of the afd. manor of Hamerden.

*Nichs. de Morley*, in right of his wife . . . d. of John Wales holds the manor of Beynden of the manor of Bivelham in the hands of John Pelham.

*The Bp. of Chichester* holds Shernden and Burn, late William Okehurst's, Esq., and formerly Robt. Sherneden's.

*John Everley*, of London, holds Inynden Manor *ol.* Adam de Combe by quarter of a knight's fee.

*Henry Halle, Esq.*, holds the manor in Gestlyng, formerly belonging to the Rector of that Church and Anne's of Ore, by three-quarters of a knight's fee, d. also manerium in Gensynge, late Gilbert Gensynge, by a quarter part of a knight's fee, which is held of Jn. Pelham of Crowhurst Manor as is reported.

*Richard Dalingrigge* holds the manor of Iden (formerly in the King's hands by one knight's fee).

*The Heirs of Bertram Herbotell* hold a moiety of the manor of Morley, the other moiety being in the tenure of John Kyriell le Bastard, by half a knight's fee, and the afd. Hrs. hold the

## Disputes between Lord Hastings and the Bishop

manor of *Costesley*, formerly belonging to the ancestors of the said Bertram, by two knights' fees, great part of which is washed away by the sea as is reported *conf.* two knights' fees.

*Thos. Hoo, Esq.*, holds the manor of Feyrley, otherwise called Frenchcourt, ol. Jas. Andely and the manor of Frostbourne, parcell of the said manor, late Robt. Bromham's by three knights' fees and half and one-twelfth part of a knight's fee for the lands at Frostbourne.

N.B.—*The Abbot of Battell and the heirs of Jas. Ash* hold the manor of Oyexfeld by one knight's fee of the afd. manor.

*Jn. Grenford* holds the manor of Wykham by one knight's fee.

*Barth. Bolney* holds the manor of Stonlyng by half a knight's fee.

*The Abbot of Robertsbridge* holds the manor of Todhurst by quarter of a knight's fee.

*The Dean of ve Church of St. Stephen, Westm.*, holds the manor of Brownesmyth by one knight's fee.

July 1475 saw the arrival of Edward's army at Calais, but the whole expedition was almost immediately bought off by Lewis at Pecquigny for a sum of 75,000 crowns, and a promise of an annuity of 50,000 crowns.

The undying jealousy of Clarence and Gloucester now caused a perpetual simmering of strife at Court. In 1478, Clarence was accused of his old treason to Edward, was attainted, and on February 7th sentenced to death. In 1479 a renewed visitation of the Plague occurred.

Disputes having arisen between Lord Hastings and the Bishop of Chichester respecting the jurisdiction of the Royal Free Chapel the matter was referred to Arbitrators, who delivered their award as follows :

ORDINATION OR COMPOSITION MADE BETWEEN THE REVEREND FATHER THE BISHOP OF CHICHESTER AND THE LORD OF HASTINGS, OF, AND CONCERNING, THE ORDINARY JURISDICTION OF THE FREE CHAPEL IN THE CASTLE THERE. (20 EDWARD IV.—REGISTER OF THE BISHOPS OF CHICHESTER [STOREY'S]—D. FOL. 50.)<sup>1</sup>

To all and singular the faithful in Christ to whom the present letters or present writing shall come. Robert Morton, Licentiate in Laws, Keeper of the Rolls of the Chancery of our Lord the King of England, and John Cloos, Doctor of Laws, Dean of the Cathedral Church of Chichester, greeting in the Saviour of all. We bring and wish to be brought to the notice of you all by these presents, that a long time ago between the Reverend Father in Christ the lord Edward by Divine permission Bishop of Chichester of the one part, and William Hastings Knight Lord of Hastings, patron and founder (*sic*) of the Church College or Chapel of the Blessed Mary commonly called

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<sup>1</sup> The author acknowledges the kindness of the Rev. Prebendary F. G. Bennett, D.C.L., and the Rev. Prebendary R. H. Codrington, D.D., of Chichester, for providing him with the transcription of this document from the Register.

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1475, 15 Edward IV. (m. 8). License for William Hastynge, knight, lord Hastynge—who is going to cross the sea with the King on his voyage and service, to grant (among other estates) the lordship, honour, manor, or rape of Hastynge, co. Sussex, with knights' fees, advowsons, wards, marriages, reliefs, escheats, courts, leets, views of frank-pledge, parks, woods, warrens, chaces, fairs, marshes, waters, fisheries, and all profits, commodities, liberties, franchises, and rights, held in chief, to the King's kinsmen Thomas Cardinal Archbishop of Canterbury, and Legate of the Apostolic See, and George Archbishop of York, and Thomas Rotheram, Bishop of Lincoln, the Chancellor, John Morton, King's Clerk, Keeper of the Rolls of Chancery, Thomas Burgh Knight, Thomas Billyng, Chief Justice of the King's Bench, Thomas Bryan, Chief Justice of the Common Bench, Richard Neill, one of the Justices of the same Bench, John Gunthorpe, the King's Almoner, John Donne, Knight, Richard Pygot, Sergeant at Law, Richard Foulmer Chancellor of the Duchy of Lancaster, William Huse the King's Attorney, William Moton Esq., William Grymmesbry Esq., William Chauntry archdeacon of Derby, William Eland, John Eltonhed, Robert Staunton, and Thomas Kebeell and their heirs without fine or fee according to the form of an act in the Parliament at Westminster. October 6th, 12 Edward IV.



## Arbitration Respecting the Chapel, 1480

the Free Chapel situate within the Castle of Hastings aforesaid of the other part a matter of strife and controversy arose of, and concerning, the ordinary jurisdiction of the said Chapel, and of the prebendaries endowed with any prebends whatsoever in the same for the time being, viz. the ordinary visitation there to be exercised by any institutions and destitutions whatsoever over the dean, canons, and prebendaries for the time being, to be admitted, and all other and singular matters appertaining to the ecclesiastical court of right or custom as well in the head as in the members of the said Chapel of the Blessed Mary of Hastings aforesaid. At length the parties aforesaid, after various and divers altercations in high and low, have submitted, committed, and granted expressly themselves and their quarrel to our ordination, laud,<sup>1</sup> decree and judgment, that in this business summarily and plainly and without question and show of proof, the thing should be proceeded with; promising for themselves and their successors that to the ordinations, decrees, laud, and judgment to be delivered by us, they will stand and obey and will procure no impediment to be made in all the premises, or in any of the premises whatsoever, by seeking any pretext, but all and singular of these they will hold, observe, and, as far as in them lies cause to be perpetually observed. We, unworthy, and on all accounts scarcely sufficient, both on account of the pre-eminence of the parties and also of the difficulty of the premises, yet for the good of peace and for quieting the differences (as to the best of our power we are bound) at the means and instances of the parties aforesaid, have at length taken upon ourselves the burden, accepting the commissions, submissions, and concessions aforesaid, by informations, allegations, written evidences, and rights of each party, on both sides seen and heard, and, with the advice first had of counsel learned in the law, we have thought that the matter should be settled, lauded, decided, and ordained, in the form which follows:—

*First* we decide, laud, and decree by our laud that the aforesaid Reverend Father Bishop of Chichester and his successors for the time being shall not hereafter in their ordinary authority under the name of decrees, visit the said Church or Chapel of the Blessed Mary, commonly called the Free Chapel, situate within the Castle of Hastings aforesaid, nor any places close to the boundaries, limits, and enclosures of the said Castle of Hastings aforesaid, by themselves or any deputies of theirs; nor shall he or they punish or correct the dean, canons, vicars choral, ministers, or servants whomsoever of the same Church or Chapel for any fault, crime, excess, or transgression of any kind appertaining to the ecclesiastical court, committed within the said Church or Chapel or Castle of Hastings aforesaid, or within the enclosures of the same Castle.

*Also we decide*, ordain, and decree by our laud that the above-mentioned venerable man, William Hastings, Knight, and Lord of Hastings aforesaid, his heirs, successors, and assigns, for the time being, whomsoever in future times are to be presented to the Deanery of the Church or Chapel of Hastings aforesaid, if there be any tithes, oblations, or any obventions spiritual and ecclesiastical, appertaining to or regarding the same deanery, and whomsoever in future times are to be presented to all and singular the canonries and prebends of the said church or chapel of Hastings aforesaid, not being of mere lay fee (such as are the canonries and prebends to which are annexed, appropriated, and granted, parish churches, tithes, oblations, and other things, and any obventions spiritual and ecclesiastical) as often as, and whensoever it shall happen that the same Deanery and the same canonries and prebends, and any of them, be vacant by death, resignation, or in any other way whatsoever, shall, to the above-mentioned Bishop Reverend Father the present Bishop of Chichester and his successors, for the time being, such persons whomsoever to be admitted deans of the church or chapel aforesaid and canons and prebendaries of the same canonries and prebends, not being of mere lay fee, as it is premised, with all effect without any contradiction for their institutions to be canonically holden by the said Reverend Father and his successors, (he or they) present, and them, as it is premised, being presented, and any one of them, as it is premised, being presented, the same Reverend Father the present Bishop of Chichester aforesaid for his time shall canonically institute by his ordinary authority, and shall perform the other things which appertain to his pastoral office in this behalf, and his successors Bishops of Chichester, for their times being, by their ordinary authority shall canonically institute those presented in this way, and perform the other things which appertain to their pastoral office in this behalf.

We decree and ordain moreover that the afore-mentioned Reverend Father the present Bishop of Chichester and his successors, for the time being, shall authentically certify the afore-mentioned venerable man, William Hastings, Knight, Lord of Hastings aforesaid, and his heirs and successors, or others assigned by him or them for this purpose, for the time being, of all and singular institutions of this kind, after the expediting of the same done at the expense, and by the

<sup>1</sup> Laud=award by arbitration. *Vide* Cowell's *Law Dictionary*.

## Award Respecting the Bishop's Jurisdiction, 1480

labour of, the persons so instituted by the persons themselves so instituted, or by their lawful proctors sent for the holding of the institutions, in order that the present said Lord of Hastings aforesaid and his successors for the time being, may be able to write and send to any person or persons they may desire for the inductions and installations of the same persons so instituted to be held and instituted.

Moreover we decree, and ordain, and decide by our laud, that the afore-mentioned venerable man, William Hastings, Knight and Lord of Hastings aforesaid, his heirs, successors, and assigns, for the time being, be not in the least bound to present to the afore-mentioned Reverend Father the present Bishop of Chichester and his successors for the time being for their institutions to be canonically held to all and singular canonries and prebends of the Church or Chapel of Hastings aforesaid, being of mere lay fee, as often as and when it shall happen that they are vacant, canons to be entitled in the same; but it shall be well allowed to him, his heirs and assigns, to donate the same prebends and any one of them by his or their letters patent to whomsoever he shall choose, as hitherto the patrons and founders of the said Chapel, have been accustomed to donate<sup>1</sup> prebends of this kind.

Also we decree, and ordain, and decide by our laud, that the present Bishop of Chichester and his successors, for future times being, in all the churches annexed, appropriated, united to the canonries and prebends of the said Church or Chapel of Hastings aforesaid or in any kind of way granted for the use or advantage of the prebends and canonries of the same Church or chapel, and of the prebendaries of the same Church or Chapel, and over the inhabitants, parishioners, vicars, chaplains of the same churches, and in the other places and concerns of the prebends and canonries of the said Church or Chapel of Hastings aforesaid being within the diocese of Chichester (provided that they be outside those places which being of the immediate jurisdiction of the Church of Christ at Canterbury are placed and situated within the same diocese of Chichester) shall freely have and exercise, and his successors shall have and exercise, ordinary and episcopal jurisdiction in all crimes, excesses, suits, business, and causes, which in any kind of way regard the court ecclesiastical, as the present Bishop and his predecessors have had and exercised in their times past.

Further we ordain, laud, and decide, that our present laud or decision be faithfully indentured to remain in the one part in the custody of the aforesaid Reverend Father the present Bishop and his successors, but in the other part to remain in like manner in the custody of the before-mentioned venerable man, William Hastings, Knight, Lord of Hastings aforesaid, and his successors.

In faith and witness of all and singular whereof, we have set our seals to these presents. Given at London in the house of<sup>2</sup> on the seventh day of the month of December in the year of our Lord one thousand four hundred and eighty.

The Duke of Gloucester now took part in the Border warfare; and the establishment of mounted couriers every 20 miles between Edward in London and Gloucester in Scotland may be regarded as one of the earliest attempts at a rapid and organized postal system. This futile war with Scotland and the repudiation of the liability for the promised annual payment by the King of France, which latter greatly enraged Edward, were among the latest events of the reign. The King died rather suddenly, at the age of 41, on April 9th, 1483.

1480, 20 Edward IV. (Michaelmas) William Pelham Esquire's lease to John Ashburnham, of the manor of Burwash, Hundred of Hawkesburgh, and Dallyngton Forest for 10 years (rent £10 per annum). (*Huntingdon documents*, Brit. Mus., *Har. MSS.*, No. 3881.)

<sup>1</sup> All benefices with cure of souls are now presentative and not donative—(61 and 62 Vic., c. 48, s. 12).

<sup>2</sup> Space blank in the Register.



# Lord Hastings and Jane Shore

## CHAPTER XIX

### EDWARD V AND RICHARD III



THE death of Edward IV. heralded an unquiet time. The Council, headed by Lord Hastings, the Lord Chamberlain, wished to pursue the same course as that which had been adopted during the minority of Henry VI., and to govern England in the King's name with Gloucester as president or Protector of the realm. The young King was proceeding from Wales in the direction of London with some of the Queen's relations when he was met by Gloucester, who had hurried from the North, intent on destroying the power of the Wydvilles. He came up with the young King at Stony Stratford, and arrested those of his attendants who belonged to the Wydville faction. The Queen in dire alarm took sanctuary at Westminster, with her other children. Hastings meanwhile supported Gloucester, so far as his appointment as Protector of the kingdom was concerned. A day was fixed for the coronation of young Edward, but the ceremony was postponed until June 22nd. In the meantime Gloucester had now fully formed the design of usurping the Crown, and had won over Buckingham to his service. The origin of the quarrel between Hastings and Gloucester is unknown, but may be surmised: it is probable that he either refused to join the conspiracy, or was considered unlikely to do so, and was too powerful, whether as a friend or an enemy to the Protector's dark schemes, to be left unconsidered or unharmed. On June 13th Lord Hastings was summoned to a Council at the Tower of London, by Gloucester, where the Council was sitting. The Duke, suddenly entering the Council chamber, accused Hastings of conspiracy and sorcery, in collusion with Jane Shore,<sup>1</sup> against him (the Protector). Hastings expostulated, all in vain.

Sir Thomas More, who heard the account from Cardinal Morton (then Bishop of Ely), an eye witness, gives an excellent account of the tragedy at the Tower, which resulted in the death of the Lord of the Rape of Hastings, and it is from his work that the following is quoted:—<sup>2</sup>

"Whereupon sone after, that is to wit, on the Friday the 13th day of June many Lordes assembled in the Tower, and there sat in counsaile, deuising the honorable solempnite of the Kinges coronacion, of which the time appointed then so nere approached, that the pageauntes and suttelties were in making day and night at Westminster, and much vitaille killed therefore, that afterward was cast away. These lordes so sytting togyther comoning of thys matter, the Protectour came in among them, fyrst about ix. of the clock, saluting them curtesly, and excusying hymself that he had ben from them so long, saieng merely that he had bene a slepe that day. And after a little talking with them, he sayd vnto the Bishop of Elye: 'My

<sup>1</sup> The gossip or scandal of the time had it that Hastings lived with Jane Shore, one of the former mistresses of Edward the Fourth.

<sup>2</sup> Sir Thomas More, Chancellor of England after Wolsey, was beheaded in 1535 for refusing to acknowledge Henry VIII. as the supreme head of the Church.

## Execution of William Lord Hastings

lord you haue very good strawberies at your gardayne in Holberne, I require you let vs haue a messe of them.' 'Gladly, my lord,' quod he, 'woulde God I had some better thing as redy to your pleasure as that.' And therwith in al the hast he sent hys seruant for a messe of strauberies. The Protectour sette the lordes fast in comoning, and therupon prayng them to spare hym for a little while departed thence. And sone, after one hower, betwene x. and xi. he returned into the chamber among them, al changed, with a wonderful soure angrye countenance, knitting the browes, frowning and knawing on hys lippes, and so sat him downe in hys place; al the lordes much dismaied and sore merueiling of this maner of sodain chaunge, and what thing should him aile. Then when he had sitten still a while, thus he began: What were they worthy to haue, 'that compasse and ymagine the distruction of me, being so nere of blood vnto the King and Protectour of his riall person and his realme?' At this question, al the lordes sat sore astonied, musyng much by whome thys question should be ment, of which euery man wyst himselfe clere. Then the Lord Chamberlen (Lord Hastings), as he that for the loue betwene them thoughte he might be boldest with him, aunswered and sayd, that 'thei wer worthy to bee punished as heighnous traitors, whatsoeuer they were.' And al the other affirmed the same. 'That is (quod he) yonder sorceres my brothers wife and other with her' (meaning the Quene). At these wordes many of the other lordes were gretylly abashed that fauoured her. But the lord Hastings was in his minde better content, that it was moued by her, then by any other whom he loued better. Albeit hys harte somewhat grudged, that he was not afore made of counsell in this mater, as he was of the taking of her kynred, and of their putting to death, which were by his assent before deuised to bee byhedded at Pountfreit, this selfe same day, in which he was not ware that it was by others deuised, that himself should the same day be behedded at London. Then said the Protectour; 'ye shal al se in what wise that sorceres and that other witch of her counsel, Shoris wife, with their affynite, haue by their sorcery and witchcraft wasted my body.' And therwith he plucked vp hys doublet sleue to his elbow vpon his left arme, where he shewed a werish withered arme and small, as it was neuer other. And thereupon euery manne's mind sore misgaue them, well perceiuing that this matter was but a quarel. For wel thei wist, that the Quene was to wise to go aboute any such folye. And also if she would, yet wold she of all folke leste make Shoris wife of counsaile, whom of al women she most hated, as that concubine whom the King her husband had most loued. And also no man was there present, but wel knew that his harme was euer such since his birth. Natheles the Lorde Chamberlen (Lord Hastings) aunswered and sayd: 'Certainly my lorde if they haue so heinously done, thei be worthy heinouse punishment.' 'What!' quod the Protectour, 'thou seruest me, I wene, with iffes and with andes, I tel the thei haue so done, and that I will make good on thy body, traitour.' And therwith as in a great anger, he clapped his fist vpon the borde a great rappe. At which token giuen, one cried 'treason!' without the c[h]ambre. Therewith a dore clapped, and in come there rushing men in harneys [armour] as many as the chambre might hold. And anon the Protectour sayd to the lorde Hastings: 'I arrest the, traitour!' 'What me, my Lorde?' quod he. 'Yea, the, traitour,' quod the Protectour. And another let flee at the Lorde Standley which shronke at the stroke and fel vnder the table, or els his hed had ben cleft to the tethe: for as shortly as he shranke, yet ranne the blood aboute hys eares. Then were they al quickly bestowed in diuerse chambres, excepte the Lorde Chamberlen, whom the Protectour bade spede and shryue hym apace, 'for by saynt Poule (quod he) I wil not to dinner til I se thy hed of.' It boted him not to aske why, but heuely he toke a priest at aduenture, and made a short shrift, for a longer would not be suffered, the Protectour made so much hast to dyner; which he might not go to til this wer done for sauing of his othe. So was he broughte forth into the grene beside the chappel within the Tower, and his head laid down vpon a long log of timbre, and there stricken of, and afterward his body with the hed entred at Windsore beside the body of Kinge Edward, whose both soules our Lord pardon!

The Archbishop of Canterbury succeeded in persuading the Queen to allow her younger son to be taken out of the Sanctuary at Westminster, representing that all was now safe, and that his brother in the Tower desired his company. The story of the subsequent fate of the two princes in the Tower is well known, and appears only too probable. On June 25th, at Baynard's Castle, London, the crown was formally "offered" to Richard, and his coronation took place at Westminster on July 6th, 1483.

On the Inquisition on the death of Lord Hastings, taken 1 Richard III., the



## The Will of Lord Hastings

jurors returned—"That William Hastings of Hastings, Knight,<sup>1</sup> held at his death the Castle, Lordship, and Rape of Hastings, in the county of Sussex, and that he died on June 13th, in the first year of the reign of King Edward the Bastard" (Edward V.), and that Edward Hastings, Knight, Lord Hastings, was the son and heir of the said William, and was aged seventeen years and upwards (*Bodley MSS. Oxon*). By his Will (dated 21 Edward IV.) he directs his feoffees of (*int. al.*) The Rape of Hastynge in the County of Sussex, etc., to suffer his executors to take the issues and profits thereof, until the time, etc., that they shall have performed such his will and paid his debts, etc.

The new king, who had married Anne, daughter of the late Earl of Warwick, formally commenced to reign on June 26th, 1483. His rule lasted only two years, and during that time the Castle and Rape of Hastings remained, by escheat, in the hands of the Crown. A conspiracy was soon astir to place Henry Tudor, Earl of Richmond, on the throne. He was then living as an exile in Brittany, with the remnant of the Lancastrian party who regarded him as their head. Henry was son of Edmund Tudor (son of Catherine, the Queen of Henry V. by her second husband, Sir Owen Tudor) and Margaret (daughter of John Beaufort, Duke of Somerset, son of Catherine Swinford by John of Gaunt, who, as we have seen, was sometime owner of the Rape of Hastings). It will be remembered that the Beaufort family, who were the issue of this marriage, were formally legitimized in the reign of Richard II. (20 Richard II., p. 2, February 9th, 1397) by letters patent, also by Act of Parliament and Papal decree. Certain restrictive words, "*excepta dignitate regali*," in the confirmation of the patent in the reign of Henry IV. were not originally contained in the patent, but seem to have been inserted by way of interlineation. A premature rebellion of Buckingham in favour of Henry resulted in the execution of the former. Richard then entered into negotiations with the Duke of Brittany, for the surrender of Henry, but this attempt failed, and Henry fled from Brittany into France.

Notwithstanding the vigilance of the English fleet, which Richard had taken great pains to improve, and which then patrolled the Channel, Henry succeeded in eluding the ships, and landed on August 7th, 1485, at Milford Haven with a small body of troops. His army quickly gathered strength, and on August 22nd he defeated and slew Richard III. at the battle of Market Bosworth. During the "wars of the Roses," of which this was the last battle, it has been estimated that 100,000 Englishmen lost their lives; in addition to which "the Plague," in some shape or other, had several times ravaged the land. In 1485, the formal coronation of Henry was perforce postponed, owing to an epidemic of the "Sweating Sickness," to which the Lord Mayor and six aldermen of London succumbed. This particular form of plague is first recorded in England in 1484, and in 1500 it is said to have destroyed 30,000 people in London alone: it again broke out in 1507.

<sup>1</sup> He was son and heir of Sir Leonard Hastings, of Kirby, Leicestershire, and of Burton Hastings, Warwickshire, by Alice daughter of Thomas (De Camoys), Lord Camoys, and was born about 1430: he succeeded his father in 1455. He married before February 17th, 1462, Catherine, widow of William Lord Harington and daughter of Richard (Nevill) Earl of Salisbury, father of Richard Nevill, Earl of Warwick—"the King-Maker." He had four sons, the eldest of whom (Edward) succeeded to his title and to his estates in Hastings Rape.

# The Act of Resumption, 1485

## CHAPTER XX

### HENRY VII



HENRY TUDOR, Earl of Richmond, was crowned King of England on the battlefield of Bosworth. With that battle the mediæval history of England has been said to end : it may be better said to mark the middle point of a transition-period between mediæval and more modern history. The fortune of war had now fully begun to be governed by the use of gunpowder and artillery, which completely revolutionized all known methods of warfare, as well in the handling of troops as in the construction of castles and other defensive works. Both the battles of Barnet and Tewkesbury had been won by artillery, and the bombards of Charles VII. had worked wonders against the castles garrisoned by the English during the latter period of the Hundred Years' War in France.

The then coming change is shown in other ways—the revival of learning, especially among the laity—the gradual abandonment of so-called Gothic architecture—the discovery of a new and hitherto unknown hemisphere, and the beginning of a great schism in religious thought and doctrine.

One of Henry VII.'s earliest measures was to pass an act of Resumption, with a view among other things of obviating the wholesale ruin which had been wrought upon the adherents of the cause of Lancaster. About 107 attainders of Lancastrians were reversed.

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Among those of the temporal lords who took the oath was Baron Hastynghes. (*Matls. Hist. Henry VII.*, 1 Henry VII.)

1485. The King granted and confirmed to Sir Edward Hastings, Lord Hastings, the office of Steward of the Honour and Lordship of Leicester and other parcels there, and the office of Constable and Keeper of the Castle of Leicester and Porter of the same castle, etc. (*Letters Patent*, 123*b*.)

September 22nd, 1485. The King granted to Antony Browne, Esquire, for his life the office of Steward of the Lordship of Whiteley and Wrabston and Keeper of the park there. Co. Surrey.

Mandate to the Treasurer and Chamberlains of the Exchequer, to pay Antony Browne and Thomas Eden, £20 sterling each.

The Recital of the Mandate is as follows :—

"Whereas we in consideration, as well of the good, true, and faithful services to us doone by our trusty and well beloved Antony Browne, and Thomas Eden, Squiers, as of the grete coste and charge that they for our right and tytle have dyvers weys susteyned and born, willing therein towards their own costes and charges, to be rewarded until we othrewise for them provide." (By Privy Seal, No. 404. Michaelmas term, 1 Henry VII.)

*March 10th*, 1486. The King granted for life to Antony Browne, the office of "Standard-bearer to the King," within the realm of England and elsewhere, with a salary of £40 a year at the receipt of the Exchequer. P.S. No. 806. Pat. 3 m. 17 (11). (Also see writs under the Great Seal Easter term—1 Henry VII.)

2 *Henry VII.* An annuity was granted to Sir Antony Browne as King's carrier.



## The King's Grant to Edward Lord Hastings

In this Act of Resumption a particular exception in favour of his faithful follower, Edward, the son and heir of Lord Hastings, was made, of the Castle and Rape of Hastings, etc.

The cause of passing this Act is partly stated in the Preamble—to enable the King by resuming the grants of his predecessors to a certain extent, to live in a style suitable to his dignity, of which the impoverished state of the Crown revenues would not then admit. There seems little doubt, however, that it was rather meant as a measure of precaution, and to get into his hands such fortresses as had been found during the commotions which preceded, to be dangerous when in the possession of a subject, particularly of his enemies the Yorkists. A similar motive in the like case seems to have formerly influenced Henry VI.

The King, in giving his assent, made the following proviso :—

“ Provided also that this Acte of Resumption extend not nor be prejudiciall to any Duke, Marquis, Earle, Viscount, or Baron of the realme, ne to the heires of eny of them, of eny graunte or grauntes made to them or eny of them, of, or for, their estate, creation, or erection into the estate of Duke, Marquis, Earle, Viscount, or Baron, ne to their premynence, places, or seates in youre High Courte of Parliament or elsewhere, ne bee prejudiciall to annull fees graunted to them in, or for, the sustentacion of their estate or estates, etc.”

He also made a special proviso as to Hastings Castle, Rape, etc., as follows :—

“ Provided Always—that this Acte of Resumption ne any Acte of Restitution, nor other Acte or Acts made or to be made in this presente Parliament be not anywise hurtfull nor prejudiciall to Edward Hastings, Knight, Lord Hastings, ne to the heires of his bodye cominge, ne to the heires of the bodye of William Hastings, late Lord Hastings begotten, nor to his other heires, in or for any graunte or grauntes, relees, or releeses, confirmac'on or confirmac'ons of (*inter alia*) lands, tenements, rentes, services, fynes, amerciaments, liberties, franchises, avowsons, patronages, possessions, and hereditaments, which the said William Hastings had of the Gifte Feoffment, or Graunte of Thomas Hoo and others, by their dede ; or which Sir John Pelham, Knight, by his dede, gaife, graunted, and confirmed unto the said Thomas Hoo and others in the Countie of Sussex ; but that the saide Edward Hastings and his heires, and the heires of the saide William Hastings, and other to his or their use,—have, retayne, and enjoye, the premises to them and their heires ; and also that the same Lres Patentes by the said Edward the iiij. of any of the premises, by what name soever the same William Lord Hastings, or anie of the premisses be called in the same Lres made to the said William, and everie thinge in theme or any of theme conteyned and expressed, according to the effect and intent of the premisses, (other than before excepted) stande and remayne, and be good, effectuall, and in their force in everye thinge according to the purport and tenore of the same Lres Patents and of any of them.

Two years afterwards, the attainder against William Lord Hastings having been reversed, and his son and heir, Edward Hastings, fully restored to his honours and estates the said King Henry VII., in the third year of his reign, for greater security of his title to the Castle and Rape of Hastings, etc. by *Inspeximus* granted and confirmed the same to the said Edward Lord Hastings in the following words :—

### GRANT OF RAPE ETC. BY HENRY VII. TO EDWARD LORD HASTINGS.

3 *Henry VII., December 15th, 1487.*

Henry, by the Grace of God, King of England, France, and Lord of Ireland, to all to whom these present Letters shall come, Greeting—We have seen a Charter of the Lord Edward, late King of England the Fourth, made in these words :

Edward, by the Grace of God, etc., to all to whom these present Letters shall come, Greeting. Know ye that the Lord Edward of famous memory, late King of England the Third since the Conquest, our noble progenitor, by his Lres Patent dated at Westminster, etc.

## Pardons Respecting the Alienation of the Castle, etc.

(Then follows a verbatim recital of Edward the IV.'s Grant. See p. 285).

Now We the said Letters Patents of the said Edward the Fourth, late King, and all and singular contained in the same letters, have ratified and accepted with all things belonging thereto, and the state, title, and possession of Edward Hastynges, Knight, Lord de Hastynges, son and heir of the said William Hastynges now deceased, in the same, do as much as in us lies accept, ratify, approve, and confirm unto the said Edward Hastynges and his heirs by these presents, and lastly of the fullness of our grace,—we give and grant unto the said Edward Hastynges, those rents and services, farms and profits, called *blanche-ferme*, sheriff's aid, sheriff geld, and justice geld, of, or belonging to, the said Rape of Hastynges, or within or receivable from the same Rape,—to have, hold, and receive, the same rents and services, farms and profits, with all and singular appurtenances, unto the said Edward Hastynges and his heirs, in all respects as fully and entirely as we, or any of our progenitors or predecessors, kings of England, or any other before these times had or received, or they had or received the same ; without composition or any other thing to be made or rendered for the premises of any of them, to us or our heirs ; and all and singular the same without fine and fee, great or small, to us or our use to be made, paid or rendered in this behalf, either in the Hanaper of our Chancery, or to the Keeper of the said Hanaper, or elsewhere. We will also—that as well the said Edward Hastynges as well as the aforementioned Keeper of our said Hanaper be hereby totally relieved by these presents from all and singular fees and fines appertaining therein to us the not making express mention of the true annual value or certifying the rents and services, farms and profits, of the same, or of any other gifts or grants by us or our progenitors to the said Edward Hastynges before these times made and remembered, the same in these presents, or any statute, act, ordination or restriction to the contrary thereof made, enacted, or ordained, or other cause, matter, or thing whatsoever, notwithstanding. In witness etc. Witness the King at Westminster, in the third year of his reign, December 15th, 1487.

The following grants were drawn up with a view to assure the title of the Rape to Lord Hastings, and to indemnify those who had dealt with it during the last reign when it was in the hands of the Crown.

*December 15th, 1487, 3 Henry VII.* The King granted his pardon to John Moreton, Archbishop of Canterbury, and Chancellor of England, Thomas, Archbishop of York, William Hussey, Knight, Chief Justice of the King's Bench, Thomas Bryan, Knight, Chief Justice of Common Pleas, Thomas Burgh, Knight, John Downe, Knight, John Gunthorpe, Clerk, and Thomas Kebeell, Serjeant-at-law, of all grants, alienations, and purchases of the Castle, Lordship, Manor, and Rape of Hastings, Co. Sussex : and of lands, rents, and services in the said Rape, and of further pardon to Edward Hastynges, Knight, Lord Hastynges, and Hungreford, as well as to all the aforesaid persons of all intrusions, entries, etc., on to the said premises. (By Privy Seal. No. 146. Pat. p. m. 2 (25).

*December 18th, 1487, 3 Henry VII.* The King granted a special livery of licence of entry, without proof of age, to Edward Hastings, Knight, Lord Hastings and Hungreford, son and heir of William Hastings, Knight, late Lord Hastings (late Chamberlain of the Receipt of the Exchequer), deceased, with respect to the possessions of his said late father in England and Wales and its Marches, Ireland and the town of Calais. Given at Westminster. E. January 23rd. P.S. No. 134. Pat. p. 1. m. 10 (17).

Throughout the early part of Henry's reign pretenders to the Throne made futile attempts to uphold their claims ; all failed when confronted with the watchful policy and foresight of the King. On December 23rd, 1489, the King issued a Commission to summon all earls, barons, knights, and other nobles, in the counties, to examine how many archers each is bound to find for the King's army, and to make preparatory musters of archers for the expedition fitting out for the relief of Brittany, and to give in their returns on this side of the *quinzaine* of St. Hilary next coming. Antony Browne was among those thus commissioned, and also the following :—



# Perkin Warbeck's Rebellion, 1492

## SURREY.

John Norbury, Knight.

## LEICESTERSHIRE.

Edward Hastynges de Hastynges.

## SUSSEX.

Thomas, Earl of Arundel, Knight.	Richard Leuknore.	John Coke.
Thomas West, de la Warre, Knight.	Thomas Combes.	Thomas Belyngeham.
Henry Roos, Knight.	Roger Leuknore.	Edmund Dautre.
Roger Leuknore, Knight.	John Goring.	John Threle.
John Devenyeshe.	Thomas Oxenbrigge.	Edward Bartelott,
John Dudley.	John Apley.	and the sheriff of the County.

(S.B. No. 38. Pat. 20. d. (12) d.)

In 1492 the Crown was claimed by Perkin Warbeck, who assumed the name of Richard, Duke of York (son of Edward IV.), and was invited to Paris by Charles VIII. On August 2nd, 1492, the Sheriffs of Kent and Sussex, the Mayor of Canterbury, Philip Lewes, Lieutenant of Dover Castle and Warden of the Cinque Ports, were ordered to issue a proclamation summoning the King's subjects to be ready to serve him for the defence of the realm at an hour's notice (Given at Canterbury).

On December 13th a truce was concluded with Charles VIII., who promised to expel Warbeck from his dominions, and to give no assistance to the rebels (*Fœd.* xii. 482-508).

*February 18th, 1487. 2 Henry VII.* Extract from the will of Walter Hungerford, Knight. "Also in especial I will that all expenses costes and charges borne, had, and susteyned, and done for the affermyng of my titill unto all such maners, londs, and tenements now resting in variaunce between Edward, Lord Hastynges and Mary his wife, be levied on the revenues and issues of such maners." (Cl. m. 5. dor. 73.)

*May 12th, 1487. 2 Henry VII.* Grant for life to Antony Browne, one of the Esquires of the King's body of the office of Constable of Quynborough, and steward of the lordship of Middleton and Merden (Kent). Given at Kynelworth. E. May 17th. P.S. No. 31. Pat. p. 2. m. 5. (9). Repeated with other parcels. December 3rd, 1490. E. December 4th. P.S. No. 46. Pat. m. 16 (20).

*Cal. Inq. Henry VII.* Thomas Hoo, Esq., Writ October 17th. Inq. October 28th, 3 Henry VII. John Broun, citizen and mercer and alderman of London, Henry Asshbourn, John Fenkell, and Edmund Fenkell, being seized of the undermentioned manors and park in fee, to the use of George Broun, Knt., now deceased, and his heirs, demised them, at the request of the said George to the said George and Elizabeth his wife for their lives in survivorship. After the death of the said George, the said Elizabeth was solely seized of the premises in her demesne, as of frank tenement, till the said Thomas Hoo unjustly disseised her thereof, and became seized thereof in fee. She subsequently re-entered into the premises, and at the time of his decease was seized thereof in her original estate.

The said John Broun, Henry Asshbourn, and John Fenkell were seized of the undermentioned tenements in Hastynges and Winchelsea to the use of the said George Broun and his heirs: they were disseised by the said Thomas, but had re-entered prior to his death (Cf. No. 437). He died November 23rd last.

William Boleyn, knight, aged 36 and more, is his cousin and heir, namely, son of Anne, daughter of Thomas, late Lord de Hoo and Hastynges, his brother.

*Cal. Inq. No. 399.* Henry Belknap, Esq. Writ wanting: Inq. November 10th, 4 Henry VII. He gave the undermentioned manor to Henry Auchier, Esq., William Knoyle, Esq., Thomas Knoyle, gent., and Ralph Standysse, to the use of Margaret his wife for the term of her life. He died June 20th, 3 Henry VII. Edward Belknap, aged 17 and more, is his son and heir.

*Sussex.* Manor of Knell with its appurtenances lying in the parish of Bekle and Pesemarshe, worth £20, held of Edward Hastynges, knight, Lord Hastyngs, as of the Castle of Hastyngs, service unknown. C. Series II., vol. 4. (23). E. Series II., File 1,059 (12).

## William Pelham's Will

One of Henry's cleverest and most successful strokes of policy was to prevent the nobles from acquiring too much power. In rewarding his followers, he kept this policy constantly in view. With this object, but nominally under the pretext of relieving the nobles and the clergy from distress, he allowed and encouraged the granting to the inferior classes large portions of their fiefs, without payment of the customary fines and fees to the Crown. The outcome of this policy was the origin and growth of the great middle class of the present day. With a firm, unsparing, and impartial hand he put down the practice of maintenance and the custom of keeping large liveries, or irregular bands of armed retainers, by the nobles. Experience had taught Henry, who was a strict man of business, to hold himself aloof from would-be favourites, and he gave to no one his entire confidence. Through his agents, who were completely under his control, he ruled England with a rod of iron. The King died of consumption, having reigned 24 years, and in the 52nd year of his age. He lies buried in the gorgeous chapel of his own building at the Abbey Church of Westminster.

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Will of William Pelham, Esqre. (2nd son of Sir John Pelham), with legacies to the church of Laughton, the shrine of St. Thomas of Canterbury, and the "new Priory" (of The Blessed Trinity of Hastings, at Warbleton, co. Sussex) and bequeathing his estates in Sussex to his brother, Thomas Pelham, and to John, son and heir of the said Thomas Pelham, with remainders to his sisters Katherine, Cicely, and Johanna, and their heirs, and the heirs of his late father, Sir John Pelham, Knight. February 12th, 1503-4. Signature of William Pelham. Eng. (*Add. Ch.* 29487).

Probate of the preceding will was granted by William (Warham), Archbishop of Canterbury March 11th, 1503-4. Lat. Portions of Seals. (*Add. Ch.* 29488.)



# The last School at the Castle

## CHAPTER XXI

### HENRY VIII



HE commencement of the reign of Henry VIII. in his eighteenth year (1509) came as a great relief to the nation after the harsh and penurious rule of his father.

Henry, in his youth, was fond of revels, masques, and tourneys, and at his court in the fifteenth year of this reign, we find Sir Anthony Browne (afterwards the grantee of the advowsons of the Chapel of St. Mary) and others "making a challenge of armes against the feast of Christmas, which was proclaimed at Windsor by the herald, and performed at the time appointed very nobly, at tilts, tourneys, barriers, and the assault of a castle erected for the purpose, in the tilt-yard at Greenwich, where the King held Christmas that year with great state and magnificence."<sup>1</sup>

In the early part of his reign, Henry entered into alliance with Spain in a war against France, the chief interest of which was the free use of ordnance by the fleets in their naval engagements (Brest, 1512).

The Castle of Hastings had now gone to a great state of decay. The King's clerks no longer held the same authority at Court; and now that the Church of St. Mary in the Castle had been placed under the jurisdiction of the Bishop of Chichester, they no longer sought after and bartered with the prebends to the same extent as in years gone by.

Many of the King's clerks, except for the assumption of some minor order sufficient to enable them to hold a prebend or benefice, had been clerical only in the strict sense of the word. On February 12th, 1515, the Pope had issued a bull inhibiting for the next five years all persons from being admitted into minor orders, unless they were promoted simultaneously to all the orders of sub-deacon.

It is pleasant to find that, even amid the ruins of the old Castle, there were at least one or two priests who yet remained within the sacred precincts, struggling to carry on the objects of the old-time foundation by Robert, Count of Eu. One priest, Sir Richard Brokesby,<sup>2</sup> Vicar of Iden, we are informed, carried on a school at the Castle, to which the inhabitants of the town of Hastings and the district

<sup>1</sup> *Hall's Chron.* p. 391.

<sup>2</sup> Priests possessing a University degree were entitled to the prefix of "Sir" to their names.

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1521. Ambrose Payne, Canon of Wingham and Prebendary of Chilton, exchanged his canonry for a canon's stall in the Collegiate Church of Hastings. The Canonical houses in Wingham were accounted to stand within the liberty of the Cinque Port of Hastings. (*Archæologia Cantiana*, pp. li. lii.)

## George, Lord Hastings

sent their boys. We are told by some of his scholars that he had two rooms over the great entrance-gate of the Castle.<sup>1</sup>

George, Lord Hastings, Earl of Huntingdon, succeeded his father Edward, *an.* 1507, 22 Henry VII., and seven years afterwards we find the following documents relative to the Rape, Castle, etc., namely—

*An.* 5 Henry VIII. (February 24th).—A grant from John Heron and others to Richard Sacheverell and others, to the use of George, Lord Hastings, of the Manor, Rape, Castle, etc., of Hastings, with a Letter of Attorney for the possession of the same, as follows :—

### GRANT—CASTLE AND RAPE, ETC., OF HASTINGS.

(*An.* 1513-14, 5 *Henry VIII.*)

Know all present and to come—that we, John Heron, Esq., John Millet, Robert Fowler, John Jenyns, and John Skylle, have transferred, demised, delivered, and by this our present Charter do confirm, unto Richard Sacheverell, Knight, John Smythe, Clerk and Doctor in medicine, Thomas Brokesby, William Reynold, John Fowler, and Thomas Beaumont, the Castle, Manor, or Lordship of Hastings with the appurtenances, and four acres of land with the appurtenances in Bulverhide, in the County of Sussex ; also, the Rape of Hastings with the appurtenances in the same County of Sussex, which certain Castle, Manor or Lordship, and other premises, with their appurtenances, we late had together with John Smythe, Clerk, from the transfer and demise of Edmund Burton, John Beaumont, Thomas Brokesby, and William Reynold, to the use and behoof of the said John Heron and his heirs for ever, to have and to hold the said Castle, Manor or Lordship, four acres of land, and Rape with their appurtenances, to the said Richard, John, Thomas, William, John Fowler, and Thomas Beaumont, their heirs and assigns for ever, to the use and behoof of George, Lord Hastynges, Knight, his heirs and assigns for ever, of the chief Lord of the Fee of the same, by the services thence due and of right accustomed. Moreover, know ye we, the said John Heron, John Millet, Robert Fowler, John Jenyns, and John Skylle, have made, ordained, constituted, and in our place put, our beloved in Christ, William Brokesby, Jnr., and Edward Brokesby, our true and lawful attorneys, conjointly and separately in our names and stead, to enter into all the said Castle, Manor or Lordship, land, and other premises with their appurtenances, and full and peaceable possession and seisin in our stead and names to take thereof; and after such entry, seisin and possession so thereof taken and had, to deliver in our stead and names, and for us and our heirs, unto the said Richard Sacheverell,<sup>2</sup> John Smyth, Thomas Brokesby, William Reynold, John Fowler, and Thomas Beaumont, their heirs and assigns, or their certain attorneys in this behalf, full and peaceable seisin and possession of, and in, the Castle, Manor or Lordship, land, and other premises with their appurtenances aforesaid, to the use and behoof aforesaid, according to the true form, tenour, and effect, of this our present Charter, ratifying and confirming all and whatsoever our said attorneys shall do in our names, or cause to be done in the premises, or in any of them by these presents. In witness, etc. Dated February 24th. 5 Henry VIII.

Of the same date is the Letter of Attorney made to give possession to George, Lord Hastings, of the Honour, Castle, and Lordship of Hastings, as follows :—

### LETTER OF ATTORNEY TO GIVE LORD HASTINGS POSSESSION OF THE RAPE, ETC.

Know all, etc., we, Richard Sacheverell, etc., to have made, ordained, constituted, and in our place put, our beloved in Christ, Richard Brokesby, Clerk,<sup>3</sup> and Nicholas Tufton, our true and lawful attorneys, etc., to receive and accept in our names and stead of John Heron, Esq., John Millet, etc., or their attorney or attorneys in this behalf assigned—full and peaceable

<sup>1</sup> See description of the Castle Buildings and the Chancery Depositions. Temp. Elizabeth, *post.*

<sup>2</sup> Richard Sacheverell, here mentioned, Lord Hastings's Receiver or Steward, afterwards Sir Richard Sacheverell. He married Mary Hungerford Botreux, and Moleyns, mother of George, Lord Hastings.

<sup>3</sup> Richard Brokesby was Vicar of Iden, as the last Dean of Hastings College, 1538.



## Confirmation to George, Lord Hastings, 1515

possession of, and in, the Castle, Manor or Lordship, of Hastynges with the appurtenances in the County of Sussex, and of, and in, four acres of land in Bulverhide in the same county ; also of, and in, the Rape or to the Rape of Hastynges with their appurtenances in the same county, to the use and behoof of George Hastynges, Knight, Lord Hastynges, his heirs and assigns for ever, according to the true form, tenour and effect of our certain Charter made to the said Richard Sacheverell, etc., to the use and behoof of the said John Heron, John Millet, etc., as in such Charter thereof will more fully appear, ratifying, etc., all and whatsoever our said attorneys shall do or cause to be done in the premises. In witness, etc. Dated as above.

In the same year (April 20th) the beforenamed John Smyth released to John Heron and others all his right in, and to, the same Castle, Rape, etc., as follows :—

RELEASE FROM JOHN SMYTH OF THE RAPE, ETC., TO JOHN HERON AND OTHERS, 1513-14.

To all the Faithfull in Christ, etc., John Smyth, Clerk, Greeting. Know ye me the said John to have remised released and in all things for me and my heirs for ever to have quitted claim, unto John Heron, Esq., John Millet, Robert Fowler, John Jenyns, and John Skyll, and their heirs for ever all my right, estate, title, claim, interest, and demand, which I anyways had, have, or that I in any manner hereafter may have,—of and in the Castle, Manor or Lordship of Hastynges with the appurtenances, and also of, and in, four acres of land with the appurtenances in Bulverhide, in the County of Sussex, and of, and in, the Rape, or to the Rape of Hastynges with the appurtenances in the same county of Sussex, which certain Castle or Lordship and other premises with their appurtenances, I late had, together with the said John Heron, etc., to us and our heirs to the use and behoof of the said John Heron and his heirs for ever, of the transfer and demise of Edmund Burton, John Beaumont, Thomas Brokesby, and William Reynold, recoverers of the Castle, Manor, or Lordship of Hastynges and other the premises against the said George Hastynges, Lord Hastynges, to the use and behoof of the same George, as in our Charter thereof made, more fully is contained: so that neither I the said John Smyth nor my heirs may have power to claim, etc., any right, estate, title, etc., of, and in, the said Castle, Manor, or Lordship, etc., or any parcel thereof, etc. In witness, etc.—April 20th 5 Henry VIII.

And the same year (May 5) the said George, Lord Hastings, made the following grant of the same Castle, Rape, etc., to Richard Brokesby and others, feoffees of the same :—

GRANT OF CASTLE RAPE, ETC., FROM LORD HASTINGS TO FEOFFEEES, 1514.

Know all present and to come, that I, George Hastynges, Knight, Lord Hastynges, do give, grant, and by this my present Charter confirm, unto Richard Brokesby, Chaplain, and William Brokesby, only son of William Brokesby, Esq., my Castle, Lordship, Manor, and Rape of Hastynges, with all their appurtenances, in the county of Sussex, to have all the said Castle, Manor, Lordship, and other premises, to the said Richard and William, their heirs and assigns for ever, of the chief lords of the fee of the same by the services thence due and of right accustomed. And moreover I, the said George, will warrant against all persons, all the said Castle, Lordship, and other premises unto the said Richard and William Brokesby, their heirs and assigns. Know ye also me, the said George Hastings, to have made, ordained, constituted, and in my place deputed my beloved in Christ, Edward Brokesby, and Robert Tyknall, Chaplain, conjointly and severally my true and lawful attorneys to enter in all the said Castle, Lordship, and other premises, etc., to put out, amove, and expel all farmers and tenants thereof, and to take full and peaceable possession and seisin of the same ; and after such possession and seisin so had and taken, to deliver full and peaceable possession and seisin unto the said Richard, and William Brokesby, son of William Brokesby, Esq., their heirs and assigns, according to the true form and effect of this my present Charter ; and I do hereby by these presents ratify and confirm all and whatsoever my said attorneys shall do or cause to be done in the premises in my stead and name. In witness whereof I have to this my present Charter put my seal. Dated at Hastynges, May 1st, 5 Henry VIII.

In the year 1515 the King, by his Letters Patent of this date, confirmed unto the above George, Lord Hastynges, the same Castle, Lordship, Rape, etc., by the following Grant :—

## Commencement of the Dissolution

### CONFIRMATORY GRANT OF RAPE, ETC., TO GEORGE, LORD HASTYNGES.

Henry, by the Grace of God, King of England and France, and Lord of Ireland, to all to whom these present letters shall come, Greeting. We have seen the letters patent of Confirmation of our Lord Henry the Seventh, late King of England, our father, in these words:—Henry, &c. (Here follows a *verbatim* recital of the Charters of Henry VII. and Edward IV.) Now We, the said Letters and Charters, and all and singular contained in them, have ratified, and of our grace for us and our heirs as far as in us lies, do accept and approve and the same do confirm and ratify unto our beloved George Hastings, Knight, Lord Hastings, and his heirs, according to the tenour of the same presents, and as in such letters and charters aforesaid is reasonably witnessed. In testimony whereof we have caused these our letters to be made patent. Witness the King at Westminster, the 21st day of November in the 7th year of his reign.

For forty shillings paid into the Hanaper.

The suppression of the monasteries was more gradual than most persons imagine. Without going again into the history of the suppression and confiscation of the lands of the alien priories, it should be remembered that the Commons had in former times frequently urged the confiscation of the lands of the Church. Early in the reign of Henry VII. the far-sighted clergy of the time had already begun to realize that the chief evils of the monastic system were exemplified among the lesser monasteries. It was ostensibly, therefore, a judicious and praiseworthy policy that effected the gradual suppression of certain of the smaller monasteries, to the number of forty, at Cardinal Wolsey's instigation. On September 11th, 1524, Pope Clement granted a bull sanctioning the suppression of monasteries having a less annual income than 3,000 ducats (Rome, *Fœd.*, xiv. 23). Christ Church College, Oxford, founded by the ambitious Cardinal, greatly benefited by numerous impropriations of benefices; and he also obtained a confirmation from the Pope for the application of the goods and lands of the suppressed monasteries to the maintenance of the colleges which he had founded at Oxford and Ipswich.

A great number of monasteries were suppressed in the years 1527–28, and on November 12th, 1528, a second bull was issued by Pope Clement for suppressing certain monasteries and building cathedrals.<sup>1</sup>

It must not be supposed, however, that these Churchmen had any thoughts of abolishing the monastic system in England; their action was really, in its initial stage, an attempt to set their house in order, and lay to rest many indefensible scandals. But the papal prestige, which had for a long time been declining, in 1527 received a great blow. Rome was sacked by the troops of the Emperor Charles, the Pope and two Cardinals being made prisoners, and it was only the intervention of England and France that secured their release.

Negotiations being opened by the King of France for an alliance, to be sealed by the marriage of Henry's daughter, Princess Mary, to his second son, the Duke of Orleans, the French King's ambassadors came to England. During the course of the negotiations a doubt was raised by the President of the Parliament of Paris as to the legitimacy of the birth of this Princess, by reason of Henry's marriage with his deceased brother's wife. Nevertheless, at Greenwich, the French ambassadors gave their oaths to the contract on Sunday, May 5th, and subsequently Thomas Boleyn and Sir Anthony Browne, Knight,<sup>2</sup> were commissioned as ambassadors to

<sup>1</sup> An excellent description of the "Dissolution" by Dr. F. A. Gasquet, from a Roman Catholic standpoint, is given in his *Henry VIII. and the English Monasteries*.

<sup>2</sup> He had been knighted in 1523. In 1524 he was appointed Esquire of the King's Body, and in 1526 he was made Governor of the Isle of Man.



## The Commons and the Clergy

receive the oath of the King of France to the league. It is thought by some that the suggestion of the invalidity of the marriage between Henry and Katherine first aroused the King's thoughts as to the possibility of its annulment, but he had already been married to her twenty years, and had, previously to the union, obtained the Pope's dispensation.

Presumably the fear of offending the King of Spain on the one hand, and the King of England on the other, caused the Pope to adopt a temporizing policy, and to delay giving his decision in the matter. The King was now showing a marked preference for Anne Boleyn, daughter of Sir Thomas Boleyn, who held Lutheran views, or rather came of a stock holding such views.<sup>1</sup> Cardinal Wolsey perceiving this, is said, not unnaturally, to have strongly advised the Pope to withhold his decision on the legitimacy question, in the hope that Henry might be persuaded into a diplomatic marriage with the sister of the King of France. Wolsey's action in the matter is supposed to have led to his dismissal and ruin, in October, 1529.

In the 20th year of Henry VIII. (1528), the Commons complained of the grievances caused by the behaviour of the clergy: 1. That they exacted exorbitant sums of money for the granting of probates of last wills and testaments: 2. By their exactions in the taking of corpses and mortuaries: 3. That the clergy were great farmers and graziers, to the prejudice of husbandmen, etc.: 4. That the abbots, priests, and other spiritual men bought and sold wool and cloth, and kept tanhouses, and other wares as temporal merchants: 5. That such clergy as had the best livings would take their utmost rights, and yet live at Court, or in nobleman's houses where they spent nothing: 6. That ignorant men among them held ten or twelve benefices each, and yet lived not in any one of them, but kept great scholars at small pensions. At this same Parliament the King created Thomas Boleyn (Viscount Rochford) Earl of Wiltshire, and Lord Hastings Earl of Huntingdon.

In 1533 Sir Anthony Browne was again sent into France with the Duke of Norfolk, Lord Rochford, brother to Anne Boleyn, and Sir William Paulet, to attend Francis I. at Nice and to "commune with the Pope there, concerning his stay in the King's divorce" from Queen Katherine.

In 1533 Katherine's marriage was declared null and void by Archbishop Cranmer. Henry created Anne Boleyn Marchioness of Pembroke, and on October 10th took her with him to Calais with a numerous suite, among whom was Lord Hastings, the new Earl of Huntingdon. Henry married Anne on

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<sup>1</sup> Anne Boleyn was daughter of Thomas Boleyn, afterwards Earl of Wiltshire, and of Lady Elizabeth, daughter of Thomas Howard, Duke of Norfolk. The earl's father was son of Sir William Boleyn, married to Margaret, second daughter and co-heiress of Thomas Butler, Earl of Ormond. William was son of Geoffrey Boleyn, Lord Mayor of London (buried at St. Leonard's Church in the Jewry), who married Anne, eldest daughter and co-heiress of Thomas, Lord Hoo and Hastings.

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1530. December. The King paid "Vincent Volpe, for paynting of a plat of Hastings, iij*l.* xs."

Sir William Pelham, of Laughton, county Sussex, knyght, covenanted with John Sakevyle, of Wethyham (Withyham), County Sussex, Esquyer, to settle upon George Boleyne, Viscount Rochford, Nicholas Carewe, knyght, James Boleyne, knyght, John Baker, Recorder of London, and other trustees, the manors of Crowherst (Crowhurst) and Bevyllham (Bibleham, between Mayfield and Burwash), and the hundreds of Baldsloo (Baldslow) and Shoyswell, to the use of Nicholas

## The Valor Ecclesiasticus

January 8th, 1535, and she was appointed to be crowned on the Whitsunday following. Two days before the coronation Lord Hastings, Earl of Huntingdon, and many others received the order of Knight of the Bath. In the 25th year of Henry VIII. the Pope, it was supposed at the request of Katherine, issued a bull which cursed both the King and the realm. It delivered the King's soul to damnation and the realm to the first invader. The ex-Queen died in the 26th year of Henry VIII. (1535), and in the same year the King commissioned Dr. Lee and others to visit the abbeys, priories, and nunneries in England, and set at liberty all the religious persons that would forsake their habit, and all that were under the age of 24. The report of the commissioners admitted that the majority of the larger abbeys and others to the extent of one third of the whole of the monasteries, were respectably conducted. With regard to the remainder, besides simony and drunkenness, the commissioners charged them with being the hotbed of crimes and vices of the most revolting and abominable nature.<sup>1</sup>

The Deanery and Prebends of Hastings College were valued by the King's Commission, *anno* 29 Henry VIII., pursuant to the general instructions which they had received regarding the valuation of the religious houses.<sup>2</sup>

### EXTRACT FROM THE VALOR ECCLESIASTICUS 29 HENRY VIII.

"In the Archdeaconry of Lewes, County Sussex."

<i>Deanery of Hastings within the Castle of Hastings.</i> <sup>3</sup>	£	s.	d.
Richard Brokysby, Clerk, Dean in the same, from the profits of the same Deanery is clearly worth <i>per annum</i> , with all the profits and returns, and is mortgaged to Thomas, Earl of Wiltshire, by an indenture to pay therefrom <i>per annum</i> .	20	0	0
Tithe thereon . . . . .	0	40	0

#### *Free Chapel of Hollington.*

John Perse, Clerk, Chaplain in the same, is clearly worth <i>per annum</i> , with all the profits and returns over and above three shillings and fourpence to be paid annually to the Warden and Fellows of New College, Oxford, as an annual payment . . . . .	0	43	7
Tithe thereon . . . . .	0	4	4½

<sup>1</sup> Dr. F.A. Gasquet disputes that this report was ever laid before the Commons.—*Henry VIII. and the English Monasteries*.

<sup>2</sup> These instructions were as follows :—"Henry R. Instructions devised by the King's highnes, by the advice of his Counsaill for knowledge to be had of the hole true and just yerely values of all the possessions, manors, landys, tenements, hereditamintes, and profits, as well spirituall as temporall, apperteyninge to any manner of dignitie, monastrie, priorie, *churche collegiate*, *churche conventuall*, parsonage, vicarage, chauntrie, free chapel, or other dignitie, office, or promotion spirituall, within this realme, Waleys, Calice, Berwyk, and the marches of the same, as well in placys exempt as well not exempt; which his pleasure ys, that suche as shall have chardge by his commission to survey the same, shall effectually with all uprightness and dexteritie followe and ensue, as they will answer unto ys majestie at their perill. Bacon's *Liber Regis in Praefat*.

<sup>3</sup> The *Valor* omits all mention of the prebend of Crowhurst, though included in the Inquisition of 8 Edward I. (see p. 113 *ante*).

Pelham and Anne Sakevyle, son and daughter of the two parties in tail male, with remainder in default to the heirs of Sir William Pelham; and the remainder in tail male of the manors of Laughton and Borowhershe (Burwash) and the hundreds of Sheplake (Shiplake) and Hawkesborough, and all other lands, etc., of the said Sir William Pelham, to be to the said Nicholas (all in County Sussex), etc.

Dat. 9. Nov., 26 Hen. VIII. (1534). *Eng. seal. Signature of John Sakevile. (Add. Ch. 29979).*



# Dissolution of the lesser Monasteries

## *Prebend of Hollington.* £ s. d.

Thomas Fenys, Clerk, Prebendary in the same, is clearly worth <i>per annum</i> , with all the profits and returns, and it is demised to Giles Fynes, Esquire, by an indenture to pay within a certain number of years; <i>per annum</i> . . . . .	0	40	0
Tithe thereon. . . . .	0	6	11

## *Prebend of Peasemarsch.*

John Ducatt, Clerk, Prebendary in the same, is clearly worth <i>per annum</i> , with all the profits and returns over and above sixty-six shillings and eightpence to be paid yearly to the Dean of Hastings as an annual payment . . . . .	6	13	4
Tithe thereon. . . . .	0	13	4

## *Prebend of Hoo.*

Robert Philipps, Clerk, Prebendary in the same place is clearly worth <i>per annum</i> , with all the profits and moneys to be paid to the said Dean of Hastings . . . . .	0	40	0
Tithe thereon. . . . .	0	4	0

## *Prebend of Wartling.*

Thomas Garrett, Clerk, Prebendary in the same, is clearly worth <i>per annum</i> in ready money to be paid by the said Dean of Hastings . . . . .	0	40	0
Tithe thereon. . . . .	0	4	0

## *Prebend of Nennefeld.*

Simon Fowler, Clerk, Prebendary in the same, is clearly worth <i>per annum</i> , with all profits and ready money to be paid by the said Dean of Hastings . . . . .	40	(sic)	0
Tithe thereon. . . . .	0	4	0

## *Prebend of Brightling.*

Simon Bynd, Clerk, Prebendary in the same, is clearly worth <i>per annum</i> , over and above twenty-three shillings and fourpence annually to be paid to the Dean of Hastings as an annual payment, eighteenpence yearly to be paid to the Bishop for synodals, six shillings and eightpence to be paid to the Archdeacon for procuration, and six shillings and eightpence to be paid to Thomas Foster annually, Steward of the Court of the lands belonging to the said Prebend . . . . .	11	0	10
Tithe thereon. . . . .	0	22	1

## *Prebend of Westroke (West Thurrock) in Essex County.*

Doctor Smyth, Clerk, Prebendary in the same, is clearly worth <i>per annum</i> , with all the profits and returns over and above fifty-three shillings and fourpence to be paid yearly to the Dean of Hastings as an annual payment. . . . .	12	6	8
Tithe thereon. . . . .	0	24	8

In the December following, a survey was taken of all chantries and the names of such as had the gift of them. In the Parliament held on February 4th, 1536, an Act was passed which gave to the King all religious houses and all the lands and goods of the annual value of £200 a year and under—amounting altogether to 376 houses, of a total annual value of £32,000—and their movables, of the value of £100,000. The number of persons put out of these houses amounted to about 10,000 (Stowe).

In the twenty-eighth year of Henry VIII. (1536) Anne Boleyn was beheaded on a charge of adultery and incest. In 1536 took place some outbreaks in the North of England and Lincolnshire, stirred up by the religious innovations: the rebels demanded a reunion with the Church of Rome and the restitution of the Princess Mary, daughter of Katherine, to her rights as heiress-presumptive of the Crown, which had been denied her by Parliament. The Duke of Norfolk, the Earl of Huntingdon, and others were sent to Yorkshire to assist the Earl of

## Spoliation of Becket's Tomb, 1539

Shrewsbury in suppressing the rebellion, called the "Pilgrimage of Grace," but the meeting of the army with the insurgents was happily, and perhaps providentially, prevented by an abnormal flood of the River Don. During the delay thus caused terms were arranged without bloodshed.<sup>1</sup>

In the year 1539 Sir Anthony Browne "obtained a grant of that eminent office of Master of the Horse," which was confirmed to him for life in the next year, when he was created Knight of the Garter.

During September, 1539, in accordance with Thomas Cromwell's order, all images and shrines, etc., the subject of special pilgrimage, were ordered to be burnt and destroyed. The shrines of all "counterfeit saints," among others the shrine of St. Thomas-à-Becket, were taken to the King's use, "and his bones, skull and all which was there found, with a piece broken out by the wounds of his death, were all burnt in the Church by command of the Lord Cromwell."<sup>2</sup> Sir John Baker, the attorney-general, read by the shrine the attainder, declaring the saint a traitor.<sup>3</sup>

This same Sir John was afterwards rewarded for his services to the King, with the gift (*inter alia*) of the possessions of the Priory Church of Hastings (Black Canons, regular, Order of St. Augustine).

All orders of friars, nuns, and their chapters and houses were suppressed. The total number of monasteries thus dissolved was 645, including those before voluntarily surrendered to the King's use. Twenty-nine of the monasteries were styled mitred abbeys, whose abbots had a seat in Parliament equally with the Bishops.

It has been generally stated<sup>4</sup> that in 1540 Sir Anthony Browne was sent to the court of John, Duke of Cleves, where he acted as proxy in the marriage of Henry VIII. and Anne of Cleves. The large picture of him, formerly at Cowdray before the destruction of that house by fire (September 24th, 1793), depicted him in the dress which he wore at the wedding.

<sup>1</sup> Covenant by Sir William Pelham, knight, with Thomas Debenyyshe and Syryace (Cyriacus) Petit, gentylmen, to suffer them to recover the park of Bevyllham (Bibleham) and other lande, etc., in Maughfelde (Mayfield), co. Sussex, and other lande, etc., in Maughfelde, Wadeherst (Wadhurst), Hethfelde (Heathfield), Waldron, and Hothly (East Hoathly). Dat. 10 Jan. 28 Henry VIII. (1537). *Eng. seal. Signature of William Pelham, chirograph.* (*Add. Ch.* 29688.) Counterpart of the above, *Eng. Fragment of 2 Seals.* (*Add. Ch.* 29689.)

<sup>2</sup> It may be doubted, however, whether the skull burnt was the true one. See *Vanished Memorials of St Thomas of Canterbury.* H. L. Milman. *Archæologia*, 1893. *Becket's Bones*, by Pugin Thornton, Canterbury.

<sup>3</sup> Against this saint, who, it will be remembered, was formerly a dean of the Collegiate Church within the Castle of Hastings, and whose tomb had since his murder been an object of excessive veneration in the Cathedral Church of Canterbury, the King's wrath was especially directed. The fact that in the saint's lifetime he had been so strenuous an opponent of temporal interference in Church matters no doubt embittered the King against him. The process, or citation, served at his tomb, ridiculous though it may seem, has for an analogy a somewhat similar practice in the papal proceedings adopted in the canonization of saints. The citation in Becket's case called upon him to appear and show cause why he should not be condemned as a traitor, and in default of appearance an advocate was nominated to defend him. The Council heard the case against him after the lapse of a month. St. Thomas-à-Becket being then decreed a counterfeit saint, and to have merited death for his manifold and great treasons against the King as supreme head of the Church, he was declared attainted, and his goods and chattels forfeited to the Crown. His bones were decreed, as above stated, to be exhumed and burnt. The sentence was published in London and Canterbury, and carried out on August 19th, 1538. The treasure from the shrine is said to have filled twenty-six large carts.—(*Wilkins*, iii. 835, 840, 848; *Wriothesley's Chron.*, p. 89.)

<sup>4</sup> *History of Cowdray.* C. Roundell, 1884.



## Sir Anthony Browne and Anne of Cleves

Horace Walpole, who saw the picture in 1749, thus humorously describes it in his letter to George Montagu, Esq., sent from Strawberry Hill, and dated August 26th, 1749. He says :

"I was much pleased with the whole-length picture of Sir Anthony Browne in the very dress in which he wedded Anne of Cleves by proxy. He is in blue and white, only his right leg is entirely white, which was certainly robed for the act of putting into bed to her ; but when the King came to marry her, he only put his leg into bed to kick her out of it." (*Walpole's Letters*, vol. ii. p. 179. Ed. Peter Cunningham, 1857.)

The inscription below the picture recorded that "in this dress he married by proxy Princess Anna Cleves *relex* of Henrie the Eyght." From a perusal of the depositions<sup>1</sup> taken upon the divorce of Anne of Cleves from various members of the Court, including Sir Anthony and Alice, his wife, as also too from the official correspondence relating to the marriage, the author gathers that Sir Anthony never saw Anne of Cleves until after her arrival in England for the marriage—as to which there appears no evidence that the King was represented by Sir Anthony. Both Sir Anthony and his wife support the popular idea as to the indifferent beauty of the Queen, for in his deposition the former stated that "he was never more dismayed in all his life, lamenting in his heart, which altered his countenance, to see the lady so far unlike what was reported"; while the latter remarked to her husband that she "saw in the Queen such fashions and manner of bringing up that she thought the King would never love her."

About this time Henry, being informed that by the instigation of Cardinal Pole a foreign invasion might be expected, rode down to the sea-coast to see it fortified, and "bulwarks erected." He caused his navy to be fitted out, and took a muster of the shires and lists of all the men capable of bearing arms therein, ordering them to be in readiness at short notice. Notwithstanding that the people of England were already in a state bordering upon rebellion by reason of the acute dissensions caused by the dissolution of the monasteries, yet the threat of foreign invasion immediately brought them back to their allegiance, and preparations for defence were volunteered with extraordinary enthusiasm, especially by the citizens of London.

The materials of some of the dissolved religious houses went towards the erection of certain castles along the seacoast. Camber Castle, situated between Rye and Winchelsea, was one of these erected during the years 1539 and 1540. It is said to have cost £23,000, and is supposed by some authorities to contain traces of having been formed out of materials from an earlier building. In 1541 this castle and all other blockhouses and bulwarks in Kent and Sussex were by Act of Parliament placed under the care and control of the Constable

<sup>1</sup> See vol. i. p. 310, J. Strype's *Memorials* : Gardiner's *Correspondence of Henry VIII.*

A. Indenture of livery binding Sir Nicholas Pelham, son and heir of Sir William Pelham, knt., to give a return to King Henry VIII. of the value of the estates to which he succeeds by the death of his father, prior to receiving livery of them from the King on ceasing to be a minor. May 1st, 1539. Sign. manual of Henry VIII. *English.*

B. Return of the value of the estates in question. *Lat.* (*Add. Ch.* 29638).

Grant by King Henry VIII. of livery to Sir Nicholas Pelham on his coming of age, of the estates inherited by him from his father, Sir William Pelham, knt. November 27th, 1539. *Lat.* (*Add. Ch.* 29639).

## Dissolution of the Collegiate Church, 1545

of Dover and Lord Warden of the Cinque Ports, at that time, Sir Thomas Cheyney.

In 34 Henry VIII. the Duke of Norfolk, the Lieutenant-General, Sir Anthony Browne, Master of the King's Horse, Sir John Gage, Comptroller of the King's Household, and others, were sent to the North to repel an invasion of the Scots, which they easily accomplished.

In the same year (1545) of this King's reign, Parliament began to sit at Westminster on November 23rd, and granted the King a subsidy, both of spirituality and temporality, and all Colleges, Chantries, and Hospitals were given to him to dispose of. On December 24th the King, speaking for the last time in Parliament, thanked the House for their subsidy, and for giving him the Colleges and Chantries, which he promised to see "bestowed to the glory of God and the good of the realm." Fifty colleges were suppressed, including the College and Collegiate Church of Hastings, 110 hospitals, and 2,374 free chapels and chantries.

### APPOINTMENT OF COMMISSIONERS TO SEIZE THE COLLEGE AND DEANERY OF HASTINGS.

*(Patent Roll, 38 Henry VIII. p. 10, m. 16 and 17.)*

The King to his beloved and faithful Thomas Pope and Christopher More, Knights, and Richard Sakevyle and William Saunders, Esquires, greeting.

Reciting an Act of Parliament made 37 Henry VIII., ch. 4 [1545], for granting Commissions to various persons to enter in the King's name into all chantries, hospitals, colleges, free chapels, fraternities, or guilds in England or Wales which are charged with the payment of first-fruits and tithes, and to take the same into the King's hands, to hold to him and his heirs for ever, etc.

And whereas a certain College or Deanery commonly called the College or Deanery of Hastings in Hastings in county Sussex long ago was and still is erected, ordained and founded : to which said College or Deanery divers lands, tenements, rents, reversions, services, and other promotions, dignities, possessions, revenues and hereditaments belong and appertain and are united, assigned and appointed, and are charged and ought to be charged with the payment of first-fruits and tithes according to the form of the statute in such case made and provided : We willing to assume and have in Our hands by virtue, force and authority of the said Act of Parliament the said College or Deanery and all the manors, messuages to the said College or Deanery, appertaining and belonging or to the same united, assigned and appointed : Know ye that We being fully confident of your fidelity and prudent circumspection have assigned you and by the tenour of these presents do give you, three or two of you full power and authority to enter and go into in Our behalf and in Our name by virtue, force and authority of and according to the form of the said Act of Parliament into the said College or Deanery of Hastings in the said county of Sussex, by whatever name or addition the said College or Deanery may be called or known ; and into the capital mansion of the said College or Deanery, and into all the manors, messuages, rents, privileges, etc., to the said College or Deanery belonging or appertaining, etc., for and in the name of seisin or possession of all the manors, messuages, rents, etc., privileges, etc., to the said College or Deanery appertaining ; and to seize and take into Our hands and possession the same College or Deanery and all and singular the aforesaid manors, messuages, rents, privileges to the same College or Deanery appertaining, etc., and every parcel thereof : To have and to hold all and singular the same to Us, Our heirs and successors for ever according to the form, tenour and effect of the said Act of Parliament.

And whatever you shall do in the premises, certify us thereof, and of all your doings in writing on parchment under your seals or the seals of three or two of you, making express mention in the same writings of the day or days of the ingress or entry, and of the selsins to be made by you or by

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Will of Thomas Pelham, Esq. (3rd son of Sir John Pelham), with legacies to the Church of Laughton (co. Sussex), and bequeathing estates in Sussex to his sons William, Thomas and Antony, and his daughter Katherine, with final remainder in all cases to the heirs of his father. January 31st, 1548, with note of probate. *Seal. Eng. and Lat. (Add. Ch. 29490).*



## Grant to Sir Anthony Browne, 1547

three or two of you of and in the premises or any of the premises by virtue of these presents as is aforesaid, unto Our Court of Chancery on the Morrow of All Souls next coming, returning to Us this Commission there to remain on record according to the form, tenour, and effect of the aforesaid Act of Parliament.

In witness whereof, etc. Witness the King at Westminster the 16th day of October.

By the King himself.

[The Commission *re* College of Hastings entered on the *Patent Roll* 38 Henry VIII., p. 13, is a duplicate of the above. If there was a return to this Commission it was lost from among the Court of Augmentation's records before the year 1824, when a search was made for it. (*Herbert MSS.*)]

GRANT BY KING HENRY VIII. TO SIR ANTHONY BROWNE, OF THE DEANERY AND COLLEGE OF HASTINGS, ETC.

(38 Henry VIII. 1st January.)

Henry by the Grace of God King of England. To all whom these present letters shall come, Greeting. Know ye that we, of our especial grace, and of our certain knowledge and mere motion, and as well in consideration of the good, true, faithful, and acceptable council and service, which our beloved counsellor, Sir Anthony Browne, Knight of the Most Noble Order of the Garter, and Master of our Horse, doth and hath heretofore rendered to us, as for other causes and considerations us at present especially moving; have given and granted, and by these presents do give and grant to the said Sir Anthony Browne, and Elizabeth his wife, all that our late Deanery and College of Hastinge, otherwise Hastynges, in our county of Sussex, late dissolved, with all and singular its appurtenances, together with all the site of the late dissolved Deanery and College aforesaid with their appurtenances. Also all that croft of land to the same site adjacent, in Hastings, to the same late Deanery and College late belonging and appertaining. And all those our lands called Stoneland containing 6 acres of land lying in the parish of St. Mary de Castro in Hastings. And all that meadow called Marlpark containing 3 acres lying near to (*prope*) Hastings in the said parish of the Blessed Mary in the Castle (*de Castro*). Also all that our rent extended at 39s. and 9d. per annum with whatsoever services issuing and receivable from the Rape of Hastings: also all that our rent of 10s. and the services issuing and receivable from the Manor of Hoo, which certain Manor now belongs and appertains to the College of Ashford in the County of Kent: also all that our rent of 15d. and one halfpenny, and our services whatsoever issuing from the Manor of Gate in the County of Sussex, parcel of the hereditaments of William, Lord Windsor and Thomas White: and all that our annual rent of twelvecence and our services whatsoever issuing from the lands and tenements now or late of John Lolle, called Pengate Hall,<sup>1</sup> in the parish of the Blessed Mary in the Castle: also all that annual rent of five shillings issuing from the lands and tenements called Chettlebridge, *alias* Chittleberthe, late of John Tufton, in the parish of Northiam: also all that annual rent of twelvecence issuing from the lands and tenements called Horne, late of John Tufton in the said parish of Northiam: also all that annual rent of five shillings and fivepence, issuing from the lands and tenements called Castlecombe and Chillington, now of Thomas Waller in the parish of the Blessed Mary in the Castle: also all that annual rent of sixpence issuing from the Chantry of Salerne in Hastings, and also five shillings issuing from Buckholt in the parish of Hollington: three shillings and fourpence and one cock and one chicken issuing from lands called the Horne in the parish of Saddlescombe, late of William Bishop: three shillings and one cock and one chicken issuing from the lands of Nicholas Huckstepp of Saddlescombe, eight shillings issuing from the manor of Krells (Knell) in the parish of Northiam, late of William Shelly, knight: sevenpence and one halfpenny issuing from the lands of Richard Shephard in Peasmarsh: four shillings issuing from the Manor of Buckland now of Jacob Gage, Esq.: four shillings issuing from the Manor of Fylshame: two shillings issuing from a certain garden, now of William Oxenbridge, called Clepshames Garden, in the parish of the Blessed Mary in the Castle: ten shillings issuing from the manor of William Pelham of Burwash: two shillings issuing from the Manor of the Dean of St. Stephen, Westminster, called Codyng, which certain separate rents and services late belonged and pertained to the said late Deanery and College of Hastings: also the annual pension of fifty-three shillings and fourpence annually issuing from the prebend of West Thurrock in Essex, and also the annual pension of thirty-three shillings and fourpence issuing from the prebend of Brightlinge in Brightlinge in the county of Sussex:

<sup>1</sup> (?) Parkegate-hill (see *Battle Abbey Charters*, p. 148, by T. Thorpe).



## Grant to Sir Anthony Browne, 1547

three shillings and fourpence issuing from the vicarage of Farleigh: three pounds, six shillings and eightpence yearly, issuing from the prebend of Peasmarsh: also all those our annual pensions extended in the whole, at six pounds yearly, issuing from the prebends of Wartlinge, Nenfeld, and Hoo, *alias* Howe, in the County of Sussex: and also twenty-six shillings and eightpence annually issuing from the prebend of Crowherst in the county of Sussex: fifty-three shillings and fourpence annually issuing from the prebend of Saleherst in the county of Sussex, which certain separate annual pensions late belonged and pertained to the said late Deanery and College of Hastings: also the advowson, donation, free disposition, and right of patronage of the vicarage or parochial church of the Blessed Mary in the Castle in Hastings aforesaid, late belonging to the said late Deanery. Also we give and grant unto the said Anthony Browne, all that our Prebend of Pesemershe with all its rights, members, possessions, and appurtenances whatsoever: also all the rectory and church of Pesemershe, with the appurtenances and all tithes of corn and grain of the whole parish of Pesemershe to the said prebend of Pesemershe belonging, and pertaining: and also all that annual pension of twenty shillings issuing from the rectory of Northiam late of the said prebend of Pesemershe: also the pension of twenty six shillings and eightpence issuing from the rectory of Beckley, to the said late prebend belonging and pertaining: also the pension of ten shillings issuing from the rectory of Iden, belonging and pertaining to the said late prebend: also the pension of thirteen shillings and fourpence issuing from the rectory of Playdon: also the advowsons, donations, presentations, free dispositions, and rights of patronage to the rectories and churches of Northiam, Beckley, Iden, and Playdon, late belonging to the same late prebend of Pesemershe. Also we give and grant unto the said Anthony Browne all that the late prebend of Hollington with its whole rights, members, reventions, and appurtenances in the said county of Sussex: and all that annual pension of twenty shillings issuing annually from the vicarage of Hollington: also forty shillings issuing from the vicarage of Ewehurst: also the advowsons of the vicarages of the churches of Hollington, Ewehurst, and Bodyham: and also all that our late prebend of Hoo, *alias* Howe, with all its rights, members and appurtenances: also all those fifty acres of land of Brookland and Uplands, and the tithe of corn and grain in Hoo, with the appurtenances to the same late prebend of Hoo belonging and pertaining: and also all that the late prebend of Nenfelde, with its rights, members, and appurtenances in Nenfelde, and all that pension of forty shillings annually issuing and receivable from the prebends of Wartlinge and Hoo, in Wartlinge, to the same late prebend of Nenfelde late belonging: and also all that late Prebend of Wartlinge with its rights, members and appurtenances: and thirty acres of land of Uplande in Wartlinge: and also all tithes of corn and grain in the parish of Wartlinge: also all that prebend of West Thurrock in Essex, etc. And we also give and grant to the said Sir Anthony Browne, all and singular manors, messuages, lands, tenements, mills, meadows, feedings, pastures, moors, marshes, as well salt as fresh lands covered with water, woods, underwoods, wharfs, fleets, waters, ponds, vivaries, commons, ways, paths, fisheries, fishings, wears, wreck of the sea, leets, views of frankpledge, profits of courts, and perquisites of leets and courts, heriots, reliefs, escheats, estrays, goods, and chattels waived, of outlawed felons, and felons of themselves (suicides), knights' fees, wards, marriages, pannage, goods in whatsoever manner forfeited, franchises and liberties: and also prebends, rectories, vicarages, tithes, as well predial and personal as mixed. And also the advowsons, nominations, donations, free dispositions, and rights of patronage of whatsoever rectories, vicarages, churches, chapels, chantries, portions, pensions, oblations, obventions, fairs, marts, markets, works, customs, tolls, rents, reversions, services, rents, charges, rents, suits and services of tenants for term of life and years, by copy of court-roll, and customary tenants, and rents of capons, cocks, hens, eggs, and pepper: and also the rents and services of grain; and also the annuities, pensions, portions, fee-farms; and also the rents, services, and profits whatsoever, reserved upon any demises or grants. And all and singular other the hereditaments, rights, commodities, jurisdictions, and profits whatsoever, as well spiritual as temporal, of whatsoever nature, kind, or species they may be, situate, lying, and being in the villes, hamlets, parishes, and fields of Hastings: Hoo, Gate, Asheford, Northiam, Saddlescombe, Krell (Knell), Pesemershe, Bucklande, Fylsham, Burwash, Codinge, West Thurrock, Brightlinge, Farleigh, Wartlinge, Nenfelde, Crowherst, Saleherst, Beckley, Waghorne, Warehorne, Guestling, Iden, Playdon, Hollington, Eweherst, Bodyham, and Wartlinge, in the said counties of Sussex, Kent and Essex, and elsewhere wheresoever within our kingdom of England to the said late Deanery, College, and Prebends, and either of them or any parcel thereof now belonging or appertaining, or as member or parcel of the lands, tenements, possessions, reventions, rights, or hereditaments of the said late Deanery and College of Hastings: and the said late prebends and other premises, or any part of them or any parcel thereof, or so



## The Church spoiled by the King, 1547

heretofore had known, accepted or reputed to be, altogether as fully, freely and entirely, as any dean of the said deanery or prebendary of the said prebends, in any manner, had held or was possessed thereof: which certain Deanery and Prebends of Hastings, and other premises with their appurtenances, are at this time extended to be of the annual value of £44 19s. 2½d., except nevertheless and always reserved from this present grant to us our heirs and successors, all lead and bells, and the metal of bells, and all jewels, ornaments, goods, chattels, and debts to the said late Deanery and College of Hastings belonging and pertaining. To have and to hold the same (repeated) unto the said Anthony Browne, knight, his heirs and assigns for ever. To hold of us, our heirs and successors *in chief*, by the services of the 40th part of one knight's fee, and rendering of and for the Deanery of Hastings and premises in Hastings, £4 9s. 11½d. at the feast of St. Michael The Archangel each year, in full, for all services, issues, tithes, and demands whatsoever, unto us, our heirs and successors, for the said premise, etc. And lastly we give and grant to the same Anthony and Elizabeth his wife, and the heirs of their bodies lawfully issuing, all and singular issues, rents, reventions, and profits of the premises, or from the same accruing and growing, from the feast of St. Michael last past, etc., agreeably to a true valuation of the same heretofore made, etc., any statute, act, ordination, provision, or restriction to the contrary thereof made in any wise notwithstanding. Witness the King at Westminster, the first day of January in the 38th year of his reign.

At the age of 56 Henry died, on January 28th, 1547, in the thirty-eighth year of his reign. The executors of his will (dated, Westminster, December 30th, 1546) were sixteen in number: among them was the new owner of the advowsons of the Chapel of St. Mary in the Castle, Sir Anthony Browne, Master of the Horse (*Fæd.* xv. 110). It was Sir Anthony to whom, as an old and trusted favourite, that the difficult and dangerous task was deputed of informing the dying King of his own approaching dissolution.

## THE END OF THE CHRONICLE AND CHARTULARY

1066-1547

[For the account of the College before and at the time of the Dissolution of the Free Chapels, etc., see *post.*]











## Part III

### A RECITAL OF THE LEADING POINTS CONNECTED WITH THE TITLE AND DESCENT OF THE CASTLE AND RAPE FROM THE DISSO- LUTION OF THE MONASTERIES TO MODERN TIMES



THE separation of the legal title to Castle (or rather perhaps we should say the ruins of the Castle), from the Collegiate buildings within it, does not now continue. At the time of the death of Henry VIII., as we have seen above, the Castle and Rape was in the possession of the Huntingdon family, and the Collegiate buildings had been granted to Sir Anthony Browne. The title to the land enclosed by the Castle was therefore somewhat complicated, and when, in 1824, Lord Chichester excavated the ruins and once more restored the gaps in the walls, Mr. W. Horsfield (in his *History of Sussex*) raised the question whether his lordship had the right to debar the public from this part of the Castle enclosure, on the assumption that the site occupied by the College and Church had never been granted to him or his predecessors by Sir Anthony Browne or his successors in title. The point was an interesting one, but there is now no doubt that a possessory title has been gained by the present owners.

We will now shortly trace the history of the title of the Castle and the Rape from the Dissolution of the Monasteries to modern times.

#### WILL OF GEORGE (III.) LORD HASTINGS, 36 HENRY VIII.

On June 13th, 1534, George, first Earl of Huntingdon, by his Last Will dated as above, directed as to the disposition of (*inter alia*) his Manor and Honour of The Rape of Hastynges in the County of Sussex,—that it shall go and be to the use for, and towards, the performance of such his Last Will and Testament, and be held with his other manors named therein after his decease by his wife Katherine, etc., until such time as they had clearly taken of the yearly issues of the said manors, all and every such sum and sums of money as should as well content and pay all his debts, as also all Legacies, etc., in his said Will declared, etc.

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Settlement by John Pelham of Laughton, co. Sussex, Esquire, upon Francis (Russell) Earl of Bedford, John St. John, Esqre., son and heir of Oliver, (1st) Baron St. John, Reginald Grey, William Pelham, etc.; as jointure of Judith St. John and daughter of the above Baron St. John, of the manor of Borashe (Burwash) with the forest of Dallington, and the hundred of Hawkesbourne (Hawkesborough) with appurtenances in Warbleton, Heythefielde (Heathfield), Mayfelde (Mayfield), Brightlynge (Brightling), Borashe (Burwash), and Dallington; the manor of Crowe-

## The Earls of Huntingdon hold the Rape

Francis (IV.), Lord Hastings, second Earl of Huntingdon, succeeded (1545), the last named Earl (created K.G. April 23rd, 1549, and Privy Councillor 1550<sup>1</sup>). His Will was proved an. 1561 (III. Eliz.), and mentions that he was seized (*inter alia*) of The Honour, Castle, and Rape of Hastynges in the County of Sussex, and gives various directions as to that and his other estates therein named; and by Inquisition taken after his death (June 10th, 1561) it was found that—

The fifth Lord Hastings, Henry, third Earl of Huntingdon, his son (born 1539, died December 14th, 1595), was heir (among other estates) to—The Manor and Rape of Hastings with the appurtenances, which were valued per ann. at £5. In a valuation subsequently made, entitled "A Clere Yerely Valewe of all the Lands, etc., of the right honorable Francis Erle of Huntingdon," dated 11 Elizabeth, the following mention is made of the Rape of Hastings, viz.—

### "SUSSEX. HONOR RAPAE HASTYNGES XXXVII."

"The said Honor, Rape of Hastings, and other parcells of the premises, to the clere yerely value of CC<sup>li</sup> to be assured immediately in possession, unto Henry Lord Hastynges, son and heir apparent of the said Erle, and Lady Katherine Dudley, one of the daughters of the right honourable John Erle of Warwick, etc., and to the heirs of the body of the said Henry Lord Hastynges, with remainder to his right heirs, etc."

In the year 33 Elizabeth (April 2nd, 1591) the above Henry, Earl of Huntingdon, obtained Queen Elizabeth's licence to alienate the Rape, Castle, etc., to Thomas Pelham, Esquire, by the description of—

### (LICENCE TO ALIENATE RAPE, ETC., TO THOMAS PELHAM.)

The Honour, Castle, Barony, and Rape of Hastings in the County of Sussex with the rights, members, liberties, franchises, commodities, hereditaments and appurtenances to the same belonging, in the said county of Sussex, etc. To Hold unto her beloved Thomas Pelham, Esq., of the said Queen, etc., by the services therefor due and of right accustomed—(dated Westminster. The document is in the possession of the Sussex Archæological Society, No. 16. It is very much stained and partly undecipherable).

And—

Same Year (June 23rd) the same was sold by the said Henry, Earl of Huntingdon, unto the said Sir Thomas Pelham for the sum of £2,500 and a reserved rent of £13 os. 8d. by the following—

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<sup>1</sup> In 1 Mary (1553) he took Henry Grey, Duke of Suffolk, prisoner, who had rebelled, and brought him to the Tower of London. He was Lieutenant of Rutland and Warwick, Steward and feodary of the honour of Leicester in 1554, and Master of the Queen's Hart Hounds in 1560. He was buried at Ashby de la Zouch. He had married Catherine, eldest daughter and coheirress of Henry Pole, K.G., and Margaret (Plantagenet), Countess of Salisbury. He had six sons and five daughters. He died June 22nd, 1560. His sons Henry and George were successively Earls of Huntingdon.

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hurst at Crowehurste (Crowhurst) and the hundred of Balselowe (Baldslow); the manor of Bebeham at Bevilham (Bibleham in Mayfield) with appurtenances in Mayfelde, Wadehurst (Wadhurst), Tysehurst (Ticehurst) and the hundred of Sheweswell (Shoyswell); the farm of Hawlelande (Halland) in Hothley (East Hoathly); and the farm of Tye in Hartefeylde (Hartfield); reserving to the said John Pelham a "*forge or hammer for makinge of yron*" in Bebeham and the timber in the same manor. Dat. 1. May 9. Eliz. (1567) *Eng.* Signature of Lord St. John. (*Add. Charters*, 29744.)

Surrender by Dame Judith Pelham, widow of Sir John Pelham of Laughton, co. Sussex, Knighte, to Thomas Pelham of Laughton, Esquire, of the above manors, farms, hundreds, etc., for an annuity of £440. Dat. 17 July 27 Eliz. [1585] *Eng. Seal.* Signature of Judith Pelham. (*Add. Charters*, 29744.)



# The Rape sold to Thomas Pelham, 1591

33 ELIZABETH (JUNE 23RD, 1591). BARGAIN AND SALE OF RAPE, ETC., TO THOMAS PELHAM ESQUIRE.<sup>1</sup>

(The Recitals are abstracted and page references to originals are given.)

This Indenture made the three and twentieth daye of June in the three and thirtieth yeare of our Sovereigne Lady Elizabeth by the Grace of God Queene of Englande, France, and Irelande, Defender of the Faith, etc., betweene the righte honourable Henrye Earle of Huntingdon Lorde Hastings Hungerforde Botreaux Molyns and Moyles of the Noble Order of the Garter Knight, Lorde President of her Majestie's Councell in the north partes, on the one partie, and Thomas Pelham of Laughton in the countie of Sussex Esquire on the other partie, reciting the grant of Kinge Henrye the Fourth to his deare brother Ralphe Nevill then Earle of Westmorland (see p. 230 *ante*) of the Earldome of Richmond and the Honor Castles Manors Landes Tenements and Places thereto belonginge by the name of the Castle Honor and Lordship of Richmonde, and chieflie amongst other thinges the Lordship, Honor, Castle, and Rape of Hastings with all their members hamletts and appurtenances, and the manors of Crowhurst Burwashe and Bevilham in the said countie of Sussex as parcell of the saide Earldome of Richmonde, to have and to holde unto the sayde Ralphe for terme of his naturall lyffe; together with all Castles, honours, etc. And reciting the grant of Kinge Henrie the Fourth to the saide Sir John Pelham of the saide Manors of Crowherste Burwasshe and Bevilham with the appurtenances (see p. 243 *ante*); together with the Rape of Hastings. And after reciting the death of the saide Ralphe Nevill Earle of Westmorlande, by force of which the saide Sir John Pelham was seized of all and singular the saide premisses in his demesne as of fee (see p. 250 *ante*), who conveyed to Sir John Pelham his sonne (see p. 250 *ante*), by force of which the saide Sir John Pelham the sonne was thereof seysed in his demesne as of fee. And reciting the grant by the saide Sir John Pelham unto Thomas Hoo Esq., Nicholas Huse Esq., and other of the saide Honor Castle Lordshipp and Seignorye of Hastings and the saide Rape of Hastings, by the name of the Lordshipp Baronye Honour and Rape of Hastings with the appurtenances (see p. 266 *ante*) (except the manors of Crowhurst, Burwasshe, Bevilham, the parkes of Crowhurst and Dudewell with the advowsons and knightes' fees to the saide mannors belonginge or appertayninge; and the knightes' fees sometymes of Ralph Scotney, etc. (see p. 94 *ante*); and that the saide John Gaynsforde, John Michelgrove, and William Thwaytes died, and that the saide Thomas Hoo, Nicholas Huse, etc., the survivors, conveyed unto William Hastings Knight, Lord Hastings, then Chamberlayne of the sayde Kinge to him and his heires for ever (see p. 283 *ante*). And reciting the Confirmation of the late Kinge Edward the Fourth by his Letters Pattentes bearinge date the *sixte daie of Marche in the fyve and twentieth yeare of his raigne (sic)*, to Lorde Hastings and his heires (see p. 285 *ante*); which aforesayde severall grantes and all and everye thinge or thinges therein conteyned, the late Kinge Henrye the Eight by his letters pattentes bearinge date the fyrst day of November in the seventh yeare of his raigne, did ratifye and confirme (see p. 310 *ante*); whiche sayde Honour, Castell, Baronye, Lordship, Rape, etc., ar lyneallye come and discended unto the sayde Earle of Huntingdon as lyneall heire unto the sayde William Lorde Hastings. Now this Indenture farther witnesseth that the sayde Henrye Earle of Huntingdon for and in consideration of the some of two thousand and fyve hundred poundes of lawfull Englishe moneye unto the sayde Earle in hande payde before th' ensealinge of these presents (whereof the sayde Earle doth acknowledge himselfe to be fullye satisfyed, and thereof and of everye parte and parcell thereof doth clearlye exonerate, acquite, and discharge, the sayde Thomas Pelham his heires, executors, and administrators by these presents) hath gyven, granted, bargayned and solde, and by these presents gyve, grant, bargain and sell unto the sayde Thomas Pelham, all that the sayde Honour, Castell, Baronye, Lordship, and Rape of Hastings in the sayde countye of Sussex, together with the landes, tenements, parkes,

<sup>1</sup> The surname Pelham is believed to have been taken from a lordship so called in Hertfordshire, where anciently there was (in 1265) a castle (Madox, *Hist. Exchequer*, p. 395: see Collins's *Peerage*, vol. v. p. 488, ed. 1812). Pelham is mentioned in the Domesday Book: Walter de Pelham son of Walter de Pelham of Pelham obtained a grant in August, 28 Edward I., a messuage and lands at Escentune, with lands extending from Heylsham (Heulsham) to Horsye (near Pevensy) in Sussex, also other lands in the Rape of Aquilla (Pevensy Rape), and his son and heir Thomas Pelham was living 2 Edward II. The son of this Thomas Pelham, also named Thomas, is mentioned on a deed, date 1346, at Warbleton, and he left issue a son, John de Pelham, whose figure is painted on a window in the chapter-house at Canterbury, and who, as we have seen, was at Poitiers (see p. 202 *ante*).



## Bargain and Sale to Thomas Pelham, 1591

pastures, comons, wast groundes, rentes, revercons, services, hundreds, wapentakes, courtes, leetes, knightes' fees, offyces, advowsons, patronages of churches, hospitalls, colleges, and all those rents and servyces called blanche ferme, justyce yelde, or sheryffes yelde, fynes called comon fyne, and sheryffe fyne, within the Rape aforesayde, treasure trove, wrecke of sea, waife, straye, enfangtheofe, and outfangetheofe, toll, deodandes, shiriffes tourne, yearelie to be holden at Derefold (Darvel), yssues, fynes, amerciaments, hundreds, viewes, courtes, and suites of courtes to them or anie of them belonginge or appertayninge; returne of all writts as well of novell disseyn, *mort d'ancestor* and attainte, as all other writts, commandementts preceptes, and billes of the Queene's Ma<sup>tie</sup> that now ys her heires and successors; all maner of comons of the Exchequer of the Queenes Ma<sup>tie</sup> her heires and successors or their justices and commissioners, and extracts whatsoever to be executed within the sayde Castell, Lordship, Baronye, Honour, Rape, manors, landes and tenements aforesayde; and all maner of execucons of the sayde writts, comandements, preceptes, billes, comons, distresses, and extracts; and all goodes and chattells of traitors, felons, fugityves, outlawes, wayved, and to be wayved, men condemned, attainted, or convicted; and all fynes for trespasses, offences, misprisions, negligences, bonde tenants, falsities, decepts, extorcons, concealments and other faultes whatsoever, fynes, *pro licencia concordandi*, and all amerciaments, redempcons, fynes, yssues, penaltyes, and forfeitures, yeare, daye, waste and strepe; all goodes and chattells called *Manu-opera*, taken or to be taken, goodes and chattells of felons of themselves, escapes of felons and whatsoever fynes for such escapes, all goodes and chattells of whatsoever persons put in exigent for treason or felonie and also deodandes; all goodes and chattells of murderers, comitters of rape with women, robbers and trespassers whatsoever, goodes confiscated and to be confiscated, coronership and clarkeship of the markett within the Castell, Lordship, Baronie, Honour, and Rape of Hastings; together with all other libertyes, franchises, privileges, comodities, immoluments, ymmunities, and hereditaments whatsoever of the sayde Earle of Huntingdon in the sayde countie of Sussex to the sayde Honour, Castell, Baronie, Rape, Lordship or anie of them before b'gayned and solde, belonginge or in anie wise app'tayninge or accepted, reputed, or taken as parte parcell or member of the sayde Honour, Castell, Baronie, Rape and Lordship or anie of them; together with all other the landes tenements and hereditaments whatsoever of the sayde Earle lyinge or beinge within the sayde Rape of Hastings, with all and everye their appurtenances; together with all maner of letters patentes, deeds, evidence writings, charters, court rolls, rentalls, terr<sup>rs</sup> escripts or muniments whatsoever, concerninge onelie the premisses or anie of them or anie parte or parcell of them; all which sayde letters patentes, deeds, evidences, writings, charters, courte rolls, rentalls, terr<sup>rs</sup> escripts and muniments or so manie of them as remaine in the handes or possession of the sayde Earle or of anie other person or persons by his delyverie or which he may lawfullie owne by, withoute suite in the lawe, the sayde Earle for himselfe his heires and assignes, doth covenant and grante by these presentes to and with the sayde Thomas Pelham his heires, executors, and assignes to deliver or cause to be delivered, unto the sayde Thomas Pelham his heires or assignes before the feaste of the birthe of our Lorde next ensuinge the date hereof, (except and alwaies foreprised oute of this presente grante such and so muche of the premisses or anie of them, or anie parte or parcell of anie of them as at anie time heretofore hath bene and is lawfullie conveyed and assured by anie of the auncestors of the sayde Earle of Huntingdon, or by anie other person or persons whatsoever, by, from, or under whome the sayde Earle claymeth unto anie of the auncestors of George Fynes, Lorde Dacres; and also except all such hereditaments as the sayde Thomas Pelham nowe hath by virtue of anie grante or reservacon heretofore made unto anie of the auncestors of the sayde Thomas Pelham; and one other grante heretofore made by the sayde Henrye Earle of Huntingdon unto Thomas Stolyan, one grante made unto Thomas Brigden and his heires whereupon there is reserved the yearlie rent *iiij<sup>d</sup>* and also excepte all grantes heretofore made of anie parcells of anie waste groundes or comons at anie time parcell of the premises; and all maner of leases or grantes of anie cottages in or upon anie parte of the premisses made granted or leased by the sayde Earle or anie of his auncestors; and also excepte all grantes or agreements heretofore made by the sayde Earle of anie landes in Bulverhide of the sayde countie of Sussex, and of all offices, stewardships, baylewicks, and fees granted by the sayde Earle of, or by reason of, the sayde Rape of Hastings; one other lease made by the sayde Earle unto Robert Ashburneham deceased, of parcell of the premisses not exceedinge the nomber of xxj yeares from the time of the makeinge thereof and one confirmacon or writinge made by the sayde Earle unto one John Wilyett touchinge the tenure of certaine of his landes and waste)—to have and to holde the sayde Honour, Castell, Baronye, Rape, Lordship, and all and singular other the premisses before b'gayned and solde, or mencioned to be granted b'gayned and solde with all and everye the appurtenances



## Assurance of the Title to Pelham

(except before excepted) unto the sayde Thomas Pelham his heires and assignes for ever, unto the onelie use and behoofe of the sayde Thomas Pelham his heires and assignes for ever, in as large and ample maner and forme to all and intents and purposes, as the sayde Henrye nowe Earle of Huntingdon hath, holdeth, and enjoyeth, or anie auncestor or auncestors of the sayde Earle might or ought to have had, holden, or enjoyed by vertue of anie lres patents unto them or anie of them granted or confirmed by the kinges or queenes of this realme (except as before excepted) renderinge therefore yearlie unto the sayde Earle his heires and assignes the some of Thirteene Poundes Six Shillings and Eight Pence of lawfull Englishe moneye payable at the feastes of St. Michael th' Archangell and th' Annunciation of the Virgin Marye by even porcons at the Castell of Hastings aforesayde. And yf it happen the sayde yearlie rente or some of xiiij<sup>li</sup> vj<sup>s</sup> viij<sup>d</sup> or anie parte thereof to be behinde unpaide by the space of fourteene dayes after anie of the sayde feastes wherein the same ought to be paide as aforesayde, that then and so often yt shall be lawfull to and for the sayde Earle his heires or assignes, into the sayde Honour, Castell, Baronye, Rape, Lordship and other the premisses or anie parte thereof to enter and distraine, and the distresses so there taken and had, to leade, drive, take, carye away and keepe, untill he or they shall be fullye satisfied and paide of the rent so behinde and unpaide, together with arrearages of the same yf anie be.—

Covenant by the sayde Henrye, Earle of Huntingdon—that he is solely seized at the sealing of the presents in fee simple of, and in, the saide Castell, Honour, Baronye, Rape, Lordship, and all other the aforementioned bargayned premisses, and of everye parte and parcell thereof with the appurtenances, without anie condition or limitation of use or uses,—that he hath full power to grant same in Fee Simple unto the sayde Thomas Pelham his heires and assignes according to the true intent and meaning of these presents,—that the sayde Honour, Castell, Barony, Rape, and everye of them and all other the aforebargayned premisses, with all and singular their appurtenances, were at the time of sealing these presents, and should continue, remain, and be unto the sayde Thomas Pelham, etc., clearly acquitted and discharged, or otherwise sufficiently saved and kept harmless, from all formes, sales, grants, jointures, and all other charges and incumbrances whatsoever made, etc., by the sayde Henry, Earl of Huntingdon, or any of his auncestors, or anie other persons whomsoever claiming by, from, or under him or them (the chief rents and services to the chief lord or lords of the fee or fees thereof, etc., excepted)—that the sayde Earl, etc., shall at all times thereafter during the space of five years, on request made for that purpose (and at the costs of the sayde Thomas Pelham, etc.), acknowledge, make, suffer, or cause to be acknowledged etc., and executed to the sayde Thomas Pelham and his heirs and assigns, all and every further assurance and assurances in the law for more perfectly securing the sayde premisses to the sayde Thomas Pelham, etc., to the use of the sayde Thomas Pelham, his heirs and assigns for ever,—and that he will warrant the premisses to the sayde Thomas Pelham against him, the sayde Earl, etc., so as he or they be not compelled to travel for the doing thereof further than five miles from the place where he shall be resident at the time of the request made. In Witness, etc. (This deed is in the possession of the Sussex Archaeological Society. No. 17. The seal is lost. It is signed "H. Huntyngdon.")

Then follow the deeds of which an abstract is appended, and which are numbered 18 and 19 respectively in the Sussex Archaeological Society's Collection of Deeds, namely :—

### *A.D. 1591-2 Hilary.*

Exemplification of a recovery suffered in Hilary term, 34 Eliz. (1591-2), by which Edmund Warde, gent., demands against Thomas Pelham, esq., the honor, castle, and rape of Hasting, and divers messuages and lands, together with the hundreds of Goldspurre, Stapull, Gestlyng, Nenfeld, Netherfeld, and Henhurst, and recovers his seizin of the said premises; Henry, Earl of Huntingdon appearing as vouchee. Part of Great Seal remaining. [*Latin.*]

### *A.D. 1592, May 20th.*

Deed-poll of Thomas Pelham, by which after reciting that Henry, Earl of Huntyngdon, Lord Hastings, Hungerforde, Botreaux, Molins, and Moiles, K.G., lord president of H.M. Council in the north parts, did by indenture dated 23 June, 33 Eliz. (1591), sell unto Thomas Pelham of Laughton, and to his heirs, the honor, castle, barony, lordship, and rape of Hastings, and divers other lands, and did covenant that he the said Henry, Earl of Huntyngdon, "stode solely seized in fee simple of and in the said honour, castell, barony, rape, lordship, and other the aforementioned bargained premisses," remises and releases unto Henry, Earl of Huntyngdon, "so

## William Typper claims the Rape, 1602

much of the said covenante as onely concerneth the seison in fee simple of the said Earle." Dated 20 May, 34 Eliz. (1592). [*Latin.*]

A little more than ten years after the purchase by Thomas Pelham from the Earl of Huntingdon, namely, an. 44 Elizabeth, an attempt was made to dispossess the former of the Rape, etc., by a person named Typper, who, in conjunction with Sir Edward Dier, by raising up objection to his title, and by the powerful aid of a large sum of money, contrived to obtain from the Queen a lease of this estate (which he endeavoured to prove was then in the Crown) for 99 years. The pretence set up on this occasion was—that the Rape and Castle of Hastings were never parcel of the Honour of Richmond, and having been falsely described as such in the Grant of Henry IV. to Sir John Pelham, as well as in subsequent grants and confirmations, had never passed from the Crown, but still remained vested in the Queen *in jure corone Anglie*. Typper accordingly exhibited his "Information of Intrusion," dated as above, to the following effect:—

### INFORMATION OF INTRUSION AGAINST THOMAS PELHAM, ESQ., TOUCHING THE RAPE OF HASTINGS, 44 ELIZ., MICHAS. TERM (1602).

Memorandum that Edward Coke, Esq., Attorney General of our Lady the now Queen, who for the same Lady, etc., being now present in Court the 21st day of October in this term in his proper person, gave the court to understand and be informed,—that our said Lady at this time being seized in h<sup>r</sup> lordship as of fee in right of her Crown of England, of, and in, the Manor and Lordship of Hastings in the county of Sussex, also of, and in, the Rape of Hastings in the same county of Sussex, with all and singular their rights, members, and whole appurtenances, as in various records, rolls, and memoranda of the Exchequer, reference being thereunto had, more fully may be seen and appeareth on record. Notwithstanding which a certain Thomas Pelham Esq., fearing very little the laws of the said Queen, in and upon the possession of our said Lady the now Queen of the Manor, Lordship, and Rape aforesaid, the 20th day of February in the 42nd year of the reign of our said Lady the now Queen, intruded and made entry, and the same intrusion and entry as aforesaid still continueth in contempt of our said Lady the now Queen and contrary to her laws; wherefore the said Attorney General of our Lady the now Queen, requests the advice of the Court, and that the said Thomas Pelham be summoned to answer our said Lady the now Queen in the premises, etc.

(Signed) At the relation of Typper—Edward Coke.

In Hilary Term the next year (namely, 1603, 45 Elizabeth) a Rule of Court was in consequence obtained that Thomas Pelham, Esq., should plead the general issue to such information—of which the following is a copy:—

### A RULE OF COURT THAT THO. PELHAM, ESQ., SHOULD PLEAD THE GENERAL ISSUE TO AN INFORMATION TOUCHING THE RAPE OF HASTINGS.

Sussex Ss.—Sir Edward Coke her Matie's Attorney Generall at the relation of Typper in Michas Terme laste exhibited his Information of Intrusion against Thomas Pelham, Esq., for enteringe and intruding in and upon her Matie's possession of and in the Manor or Lordship of Hastings in the countye of Sussex, and of and in the Rape of Hastings in the same countye, with all and singular theire rights, members, and appurtenances, as by the same Information appeareth. And whereas the Courte was this daye informed by Mr. Sherley, beinge of counsell with the same Mr. Pelham, that the said Mr. Pelham and those from whom he claymeth the premisses have quietly had, helde, and enjoyed the same premisses by the space of fortye yeres last past, and thereupon desired that the said Mr. Pelham might be admitted to pleade the generall issue to the said Information. Whereupon it is this daye ordered, that upon affidavit to be made that the said allegation is trewe, that the said defendant shall be admitted to pleade the generall issue to the said Information, and continew his possession of the premisses puttinge in recognizance to answer the meane profits of the said lands yf upon triall to be had, the title shall fall out for the Queene's Matie unlesse good cause be shewed to the contrary upon Monday next.



## Thomas Pelham's Defence

Mr. Pelham's Plea in this cause sets forth in substance—

That the Intrusion into the said Manor and Lordship of Hastings, and other the premisses with their appurtenances in the said Information charged against the said Thomas as mentioned, was not true, inasmuch as before such alleged intrusion, etc., a certain Henry, late Earl of Huntingdon, was seized of, and in, the said Manor and Lordship of Hastings, and of, and in, the said Rape of Hastings in the said county of Sussex, with all and singular the rights, members, and appurtenances whatsoever mentioned in such Information in his Lordship as of fee; and that being so seized the said Henry, late Earl of Huntingdon, caused a certain fine to be levied in the court of our Lady the now Queen, at Westminster in the county of Middlesex, within three weeks of the day of the Holy Trinity and thirty-third year of the reign of our Lady the now Queen, before Edmund Anderson, Francis Wyndham, William Peryam, and Thomas Watynsley, their justices, and other faithful lieges of our Lady the Queen then being present; wherein the said Thomas Pelham was plaintiff and the said Henry, late Earl of Huntingdon, deforçant of the said Manor and Lordship of Hastings, and of the said Rape of Hastings with the appurtenances (amongst others) by the name of "The Honour, Castle, Lordship, and Rape of Hastings" with their appurtenances, etc. (see p. 325 *ante*), by means whereof, etc., the said Henry, late Earl of Huntingdon, acknowledged the said Castle, Lordship, and Rape of Hastings with their appurtenances and all and singular other the premises thereto appertaining, to be the right of him the said Thomas; and that accordingly the said Thomas had of the grant of the said late Earl of Huntingdon the same premises, who remised and thereto quitted claim for himself and his heirs to the said Thomas and his heirs for ever; and that afterwards the same late Earl granted for himself and his heirs, that they would warrant the said Thomas and his heirs in the said Honour, Castle, and Rape, and all and singular other the premises with their appurtenances against him the said late Earl of Huntingdon and his heirs for ever; as by the record of the fine aforesaid remaining in the said Court of the Bench at Westminster, more fully appeared; which fine in form aforesaid levied, was had and levied to the use of the aforesaid Thomas Pelham and his heirs; by virtue of which certain fine and also by force of the act made for transferring of uses into possession, etc., the said Thomas Pelham had been and then was seized of the said manor and lordship of Hastings and of the said Rape of Hastings with the appurtenances in the said Information mentioned (amongst others) in his lordship as of fee, and in pursuance thereof had during the whole of the time named, had and received, and then still had and received to his own proper use the issues and profits of the said manor, lordship, and Rape aforesaid with the appurtenances in the said Information mentioned; that the said Thomas Pelham had not intruded in manner and form in the said Information stated, in or upon the possession of our said Lady the Queen, in the said Manor, Lordship, and Rape, with their appurtenances; neither did the said Manor and Lordship of Hastings or the said Rape of Hastings aforesaid, with their appurtenances, or any parcel of the same as charged in the said Information, ever of right belong, or were in the hands or possession of our said Lady the Queen, nor was the same ever so stated to be by any records, rolls, or memoranda in the Court of Exchequer, as also charged in the said Information, etc.

The nature of the Lease granted to Mr. Typper—the consideration, rent, etc., will be understood from the following Document.

COPY OF A BILL DELIVERED TO THE KEEPER OF THE SEAL, CONCERNING THE COMPOUNDING WITH THE QUEEN.

This Bill was delivered *vj die Augusti 44. Elizabethae* to the Lord Keeper of the Great Seal at Westminster.

In the beginning of ye said Lease ys sett downe—yt by ye advice of the Lo<sup>d</sup> Treas<sup>r</sup> Rob<sup>t</sup> Cec<sup>t</sup> Sir H. Fortescue, and Sir Edward Coke, her Ma<sup>tie</sup>'s counsell, etc., ye lessees have a libertie in ye said lease to compound for a yerely rent, and ther rent which they ought to pay to ye Queene ys not payable until they have recovered by judgment, or compounded as before menc<sup>o</sup>ned; and after such tyme then at the feasts of Michas or Xmas next after to pay ye Queene their rent uppon condition yt yf not payed within xl days, then ther Lease to cease.

Underneath this lease ys written—viz.

M<sup>d</sup> Whereas her Ma<sup>tie</sup> did lately demise unto Ra<sup>fe</sup> Clarke and John Clarke under her Ma<sup>tie</sup>'s Great Seale, etc., for the benefit and behoof of Sir Edward Dier and William Tipper divers Mannors, etc., to the yerely value of £728 16. 1<sup>2</sup>/<sub>3</sub> for the terme of iiij & xix yeres reserving the accustomed rents, etc., and whereas Ra<sup>fe</sup> Clarke, one of the said patentees, ys so weake and

## King James I. Grants the Rape to Pelham

sycklie y<sup>t</sup> he cannot attend to do y<sup>t</sup> what ys requisite of his p<sup>t</sup> touchinge the same, in respect whereof ye said patentees have surrendered unto her Ma<sup>tie</sup> the said former lease,—to th' intent that a like lease might be granted from her Ma<sup>tie</sup> of the same mannors, etc., vnto Robert Dawe and Edward Thurland for ye lyke number of yerres, under the lyke yerely rents and covenants as were in ye former lease (ye mannor of West Layton with the advowson only excepted)—This ys done at the petition of Sir Edward Dier & William Typper, by the advyse of them before named.

Subscribed only—Buck—Cec'—Fortescue.

Whether the further prosecution of this claim on the part of the Crown was dropped in consequence of Queen Elizabeth's death, which took place shortly afterwards, does not appear. To secure his title against similar attacks, Sir Thomas Pelham obtained from James, her successor, a new Patent, which is now given—

### KING JAMES' LETTERS PATENT<sup>1</sup> TO THOMAS PELHAM ESQUIRE CONCERNING HASTINGS RAPE, CASTLE, ETC. OCTOBER 29TH, 2 JAMES I. (1604), *Pat. Rolls*.

The King to all to whom, etc., Greeting.—Reciting the grant of the Lord Edward the Third, King of England, our ancestor, bearing date at Westminster the sixth day of March in the twenty-fifth year of his reign, to his dearest son John of Gaunt of the Earldom of Richmond, (see p. 200 *ante*), and reciting a certain Charter made between the said Edward late King of England by name the Third, and his said son then King of Castile and Leon and Duke of Lancaster, bearing date at Westminster the twenty-fifth day of June in the forty-sixth year of the reign of the said late King Edward the Third (see p. 209 *ante*) sealed alternately as well with the seal of the said late King Edward the Third, as with the seal of the said John then King of Castile. And reciting the grant by the Lord Henry the Fourth of that name late King of England, our ancestor, bearing date at Westminster the twenty-first day of November in the fourteenth year of his reign (see p. 243 *ante*) of the manors of Crowherste, Burwashe, and Bevilham with the appurtenances in the county of Sussex, together with the Rape of Hastings in the same county, which in the same Letters Patent are mentioned to have been thentofore parcel of the Castle, Earldom, Honour, and Lordship of Richmond. Reciting that it is contained in certain ancient writings that John Pelham, Knight, the son of the said John Pelham, Knight, granted unto Thomas Hoo, Esquire, and others, the Rape aforesaid with the appurtenances by the name of "The Lordship, Barony, Honour and Rape of Hastings" with its appurtenances in the County of Sussex (except the said manors of Crowherste, Burwashe, and Bevilham, etc.). And reciting that in certain Letters Patent of the Lord Henry the Sixth late King of England, our ancestor, bearing date at Westminster the nineteenth day of July in the twenty-third year of his reign (see p. 257 *ante*) the said late King did give and grant unto the same Thomas Hoo, his Castle, Lordship, Barony, and Honour of Hastings in the County of Sussex, together with the hundreds, etc. And reciting also that in certain ancient evidences it is mentioned that the said Thomas Hoo and others did grant, and confirm the same Lordship, Honour and Rape with the appurtenances (except such as in the same Charter are excepted) unto William Hastings Knight, by the name of William Hastings, Lord de Hastings, Knight, to have to himself and his heirs for ever (see p. 283 *ante*), as by the same Evidences more fully is declared and appears. And reciting also that in certain Letters Patent of the Lord Edward the Fourth late King of England, our ancestor, made under his Great Seal of England, and bearing date at Westminster the sixth day of February in the first year of his reign (see p. 285 *ante*), did confirm the title unto the said William Hastings and his heirs.

And reciting the Confirmation to Edward Hastings, Knight, Lord Hastings, by Henry VII. (see p. 303 *ante*) in the third year of his reign, the said King did accept, ratify, approve, and confirm, as by the same Letters Patent (amongst other things) is fully declared and appeareth; and which certain Letters Patent and Charter aforesaid, and all and the Confirmation of the Lord Henry the Eighth, late King of England (see p. 310 *ante*).

And reciting also that in a certain Indenture of Henry, late Earl of Huntingdon, the next of kin and heir of the said William Hastings, Edward Hastings, and George Hastings, bearing date the twenty-third day of June in the thirty-third year of the reign of the Lady Elizabeth, late Queen of England (see p. 323 *ante*) and enrolled in our Chancery the twenty-sixth day of October then next following, had, and made, between the same Henry, late Earl of Huntingdon of the one part, and Thomas Pelham, of Laughton in the county of Sussex, Esquire, of the

<sup>1</sup> From the original in the possession of the Sussex Archæological Society, No. 24.



## Grant by James I., 1604

other part (which certain Thomas is the next of kin and heir of the said John Pelham, Knight, namely the son and heir of Nicholas Pelham, Knight, the son of William Pelham, Knight, the son and heir of Thomas Pelham, Esquire, the son and heir of the said John Pelham, Junior, the son and heir of the said John Pelham, Knight), for the considerations in the same last-mentioned Indenture expressed, it is witnessed that the same Henry, late Earl of Huntingdon, did give, grant, bargain, and sell unto the said Thomas Pelham of Laughton aforesaid, his heirs and assigns, all that the said Honour, Castle, Barony, Lordship, and Rape of Hastings in the said County of Sussex; together with all other lands, tenements, and hereditaments whatsoever, of the said Earl of Huntingdon, lying or being within the same Rape of Hastings, with all and singular their appurtenances, and together with all Letters Patents, Deeds, Evidences, Writings, Charters, Court Rolls, Rentals, Terriers, Escripts, or Muniments whatsoever concerning in any manner the premises, or any of them, or any part or parcel of the same (except as in the same Indenture is excepted) as in the same Indenture is more fully declared and appeareth. And Reciting that "it appeareth sufficiently evident to us, that neither the said manors of Crowhurst, Burwash, and Bevilham, nor the said Rape, or any of them were, at the time of the making of the said letters patent of the said late King Edward the Third to his son John of Gaunt, of the Earldom of Richmond and the Honour, Castle, Manor, lands, tenements, and all other places belonging to the said Earldom (amongst other things) any parcel of the Castle, Earldom, Honour, and Lordship of Richmond aforesaid, and on this account,—because it is sufficiently set forth and appeareth by divers records, that divers persons were frequently seized of the same, separately, at one and the same time, namely, one of the said Castle, Earldom, Honour, and Lordship of Richmond, and another of the said Castle, Honour, and Lordship of Hastings aforesaid, and of the said manors of Crowhurst, Burwash, and Bevilham; and also it appeareth that by certain Letters Patent of the Lord Henry, late King of England the Third, made in the forty-sixth year of his reign, that the Honour, Castle, and Rape of Hastings aforesaid, and the said Manors of Crowhurst, Burwash, and Bevilham, were parcel of the possessions of Edward, the eldest son of the said King Henry the Third; and by the same were rendered up to the said late King Henry the Third, and by the said King Henry the Third were given, granted and confirmed unto one Peter of Savoy, then Earl of Richmond, in exchange for the Manor of Radenhall and other lands, tenements and hereditaments which then were of the Honour of Richmond (which certain Honour the said King Henry the Third had given to the said Peter) and by these means it is evident enough to us that the same premises as we have before noticed, came to be esteemed parcel of such Honour; that by the said Letters Patent of King Edward the Third made in the 25th year of his reign to his son John of Gaunt (father of the said King Henry the Fourth) the said Honour, Castle, and Rape of Hastings, with the said Manors of Crowhurst, Burwash, and Bevilham, were by some means or other given and granted by the name, or under the description of, "The Earldom and Honour of Richmond and the Castles, Manors, lands, tenements and other places to the said Earldom belonging"—unto the said John of Gaunt; which certain Honour and Earldom of Richmond, and all Castles, Manors, lands, tenements and other places belonging to the said Earldom, the same John of Gaunt (by the name of John, King of Castile and Leon, and Duke of Lancaster) did, in the forty-sixth year of the reign of the late King Edward the Third, release and grant unto the said King Edward the Third, his heirs and successors for ever, as is above in these presents mentioned; in consequence whereof after the same release, the said late King Edward the Third was seized as well of the said Earldom and Honour of Richmond, as of the said Rape of Hastings, and Manors of Crowhurst, Burwash, and Bevilham with the appurtenances; after which grant the same Rape and Manors until the making of the said Letters Patent of the said late King Henry the Fourth, in the fourteenth year of his reign, unto the said John Pelham, Knight, were esteemed, as well by the officers and ministers of the said late King Edward the Third, as of the Lord Richard, late King of England the Second, and of the said late King Henry the Fourth, as member and parcel of the said Earldom and Honour of Richmond, and were in their account (*computis*) so accepted and reckoned, we, willing to render the various grants and confirmations of the said Honour, Castle, and Rape of Hastings, and Manors of Crowhurst, Burwash, and Bevilham, made of old times by our progenitors, Kings of England, more plain, and on account of the considerations mentioned in them, as well as that the future possession of the same may continue to be enjoyed peaceably and quietly, and the right and title to the same may remain undisturbed and valid, and be put beyond question and debate; as also in consideration of the merit, and good and gratuitous service rendered by the said Sir John Pelham, both to the said King Henry the Fourth and to the Lord Henry the Fifth, late King of England, particularly in and about the custody and government of our progenitor James the First, King of



## King James I. Grant to Thomas Pelham

Scotland, whilst he was under age, and *remained for education within this kingdom* (see pp. 235, 245 *ante*) of England (as appeareth by certain Letters Patent of the said Lord Henry late King of England the Fifth, bearing date at Westminster the twenty-second day of February, in the second year of his reign), and also for other good causes and considerations us at this present time specially moving, of our special grace, certain knowledge, and mere motion, do give and grant by these presents for us, our heirs and successors, unto the said Thomas Pelham of Laughton aforesaid in the said county of Sussex, his heirs and assigns, the Manors of Crowhurst, Burwash, and Bevilham in our said county of Sussex, with their whole rights, members, and appurtenances; also the Rape of Hastings in our said County of Sussex, with its entire rights, members, and appurtenances, together with all and singular hundreds, wapentakes, messuages, lands, tenements, mills, houses, edifices, structures, granges, stables, dove-cotes, gardens, orchards, cottages, meadows, feedings, pastures, commons, demesne lands, wastes, moors, marshes, woods, underwoods, woodlands and trees, advowsons, donations, free dispositions, and rights of patronage of all and singular churches, vicarages, and chapels whatsoever, tenths, oblations, obventions, fruits, profits, fisheries, fishings, suit of court, mulcts, warrens, parks, chaces, mines, quarries, rents, reversions, and services, rents, over-rents, and services, as well of free as customary tenants, works of tenants, farms, fee farms, annuities, knights' fees, wards, marriages, escheats, reliefs, heriots, fines, amer-ciaments, courts leet, views of frank-pledge courts leet, perquisites and profits, and whatsoever to courts leet and views of frank-pledge belongeth; chattels, waifs, serfs and villeins with all the rights over them, estovers, and powers of estover, *theolonia*, customs of courts, jurisdictions, franchises, privileges, profits, commodities, advantages, emoluments, and other our hereditaments whatsoever with their and every of their appurtenances, be the same of what nature or quality soever, or used, occupied, or enjoyed with the same, situate, lying and being, coming, growing, or accruing within the said county of Sussex, the said manors of Crowhurst, Burwash, and Bevilham, and Rape of Hastings above by these presents before granted, or any of them, or to any of them in any manner belonging or pertaining, or reputed or taken as part, parcel, or member of the same manors and Rape above by these presents granted, or any of them, or with any of them at any time heretofore had, known, accepted, occupied, used, or reputed to belong; also the reversion and reversions, remainder and remainders, whatsoever, of all and singular the said Manors, Rape, lands, tenements, hereditaments, and other the premises above by these presents before granted, and every parcel of the same, or dependent or expectant upon any gift or gifts in fee tail or upon any demise or grant of the said premises, or any of them, and any and every parcel thereof, for term or terms of life or lives or years, or otherwise heretofore made, whether of record or not of record; also all and singular rents and yearly profits whatsoever, reserved in all demises and grants whatsoever of the premises by these presents so as before granted, or any parcel of the same, and the rents and yearly profits of all and singular such premises, and every part thereof. And lastly, of the abundance of our special grace, and from our certain knowledge and mere motion, we do give and grant, and by these presents for us our heirs and successors, have given and granted, unto the said Thomas Pelham, his heirs and assigns, that he the said Thomas Pelham, his heirs and assigns from this time for ever, may hold, keep and enjoy, and be empowered firmly to have hold, and enjoy, as well within the said Manors of Crowhurst, Burwash, and Bevilham, as the said Rape of Hastings and all and singular other the premises above by these presents granted, and within every parcel whatsoever of them, so much and all such things appertaining thereto, as in like manner have been before enjoyed therewith, courts leet, views of frank-pledge, law-days, assizes and assize, panis, chattels, waifs, chattels of felons and fugitives, felons of themselves and of persons put in exigent, chattels of outlaws and condemned, deodands, knights' fees, wards, marriages, reliefs, escheats, heriots, free park, chaces, free warren, wrecks of the sea, and all other rights, jurisdictions, franchises, liberties, customs, privileges, commodities, advantages, emoluments, and hereditaments whatsoever, of whatsoever kind or quality they may be, as fully, freely, and entirely and in as ample manner and form as the said John Pelham, Knight, or the said Thomas Hoo, or the said William Hastings, Knight, late Lord Hastings, or the said Edward Hastings, Knight, late Lord Hastings, or the said George Hastings, Knight, late Lord Hastings, or the said Henry, late Earl of Huntingdon, or the said Thomas Pelham, or any other or others heretofore had, possessed, or was, or were, seized of the said Manor, Rape, and all and singular other the premises above by these presents granted, or any parcel thereof, or at any time had held or enjoyed, or ought to have held, used, or enjoyed the premises above by these presents granted, or any parcel thereof, by reason or means of any Charter, gift, grant, or confirmation, by us or any of our progenitors and ancestors or predecessors



## Confirmation by Act of Parliament

in times past, had, made, granted or confirmed, or by reason or means of any lawful prescription, usage, or custom before this time had made or used, or otherwise by any lawful mode, right or title howsoever ; and in all things as fully, freely, and entirely, and in as ample manner and form as we, or any of our progenitors, ancestors, or predecessors, had, and enjoyed the said Manors, Rape, and all and singular other the premises above by these presents granted, or any parcel whatsoever thereof, or as we, or they, ought to have had, used, and enjoyed the same. And lastly, we do give and by these presents for us and our heirs and successors grant, unto the said Thomas Pelham, his heirs and assigns, the said Manors of Crowhurst, Burwash, and Bevilham, and the said Rape of Hastings with all and singular other the premises above by these presents before granted, in all things fully, freely, and entirely, and in as ample manner and form, as all and singular the same premises, or any parcel of the same came to our hands, or to the hands of any of our progenitors, ancestors, or predecessors, late kings or queens of England, or to the hands of them or either of them by reason or means of any Act of Parliament, or Acts of Parliament, or by reason or means of any exchange or requisition, or any other gift, rendering up, or grant, or by reason or means of any attainder or forfeiture, or by reason of any escheat or other lawful mode, right, or title whatsoever the same might or ought to have come into or been in our hands,—to have, hold, and enjoy, all and singular the said Manors of Crowhurst, Burwash, and Bevilham, and the said Rape of Hastings, and other the premises above by these presents before granted, with their entire rights, members, and appurtenances, unto the said Thomas Pelham, his heirs and assigns, to the sole and proper use and behoof of the said Thomas Pelham, his heirs and assigns for ever ; to be held of us, our heirs and successors in all respects in the same manner and by the like kind of rent and services and other things, as the same had been before held of us, and not otherwise. And lastly, of the abundance of our special grace, and from our certain knowledge and mere motion, we will, and by these presents for us and our heirs and successors, do grant unto the said Thomas Pelham, his heirs and assigns, that these our Letters Patent, or the enrolment of the same and all therein contained, shall be in all things, firm, valid, good, sufficient and effectual in the law therefor, for ever against us, our heirs and successors, as well in all our Courts, as elsewhere within our kingdom of England, without any confirmation, licence, or toleration of us, our heirs and successors, to be obtained by the said Thomas Pelham, and that notwithstanding the wrong reciting or not reciting of the said Manors, Rape, and other premises above by these presents granted, or any parcel thereof, and notwithstanding the not finding of offices or Inquisitions of the premises, or any parcel thereof, by which our title ought to have been found before the making of these our Letters Patent, and notwithstanding the wrong reciting, wrong naming, or not naming of any Demise or Grant of the premises, or of any parcel thereof made, being of record or not of record ; and notwithstanding the wrong naming or not naming of any town, village, or place, or the county wherein the same or any parcel thereof, is, or are, situate ; and notwithstanding the lack of full, true, and particular mention of the names of the tenants, farmers, or occupiers of the same premises, or any parcel thereof ; and notwithstanding any deficiency of certifying or computing or naming the true annual value of the premises, or the annual rents and profits thereof, or of any parcel thereof, as expressed and contained in these our Letters Patent ; and notwithstanding the Act of Parliament of Henry, late King of England the VI., our ancestor, made in the 28th year of his reign ; and notwithstanding any defect in not rightly naming the natures, kinds, species, quantities, or qualities of the premises, or any parcel of them. And this without fine to be paid in our Hanaper, etc., the not making express mention, etc., or any other thing to the contrary thereof, notwithstanding. In witness, etc. Dated *an. 2* James I.

The following Act of Parliament will be found to do away with the objections urged by Mr. Typper in his letters of 1610 (see *post*, pp. 335–36) to Sir Thomas Pelham, and in his case, as to the mis-recital of the Rape, as having belonged to John of Gaunt as parcel of the Honour of Richmond ; also the non-recital of the Lease of it granted him by Elizabeth, and which being a lease *of record*, he affirms (see p. 328) should have been recited in the preceding Patent of James, to have rendered the latter valid.

COPY OF ACT OF PARLIAMENT FOR CONFIRMATION OF LETTERS PATENTS MADE BEFORE  
THE 44th OF ELIZABETH, ETC. (1601–1602).

“ In most humble wise beseechen yo<sup>r</sup> most Excellent Ma<sup>tie</sup> the Lords Spirituall and Temporall and the Comons in this yo<sup>r</sup> Highnes Parliam<sup>t</sup> assembled, that whereas sithence the first daie of



## Confirmation of Title by Act of Parliament

Decembre xliiiij<sup>th</sup> yeare of the raigne of the late Queene of famous memorie, Elizabeth late Queene of England, divers and sundrie Honours, Castells, manno<sup>r</sup>s landes, ten<sup>ts</sup> revercons, services, and other hereditaments have bin conveyed and assured, as well by the said late Queene her heires and successors, as to yo<sup>r</sup> Highnes yo<sup>r</sup> heires and successors, and from divers and sundry persons and bodies politique, as well for the dischardge and satisfacon of greate debts and somes of money, as for other good consideracons; that for better assurance, confirmacon, and suretie thereof, it may be enacted by authoritie of this p<sup>r</sup>sent Parlam<sup>t</sup> that all Feoffments, Fynes, Surrenders, Assurances, Conveyances, and Estates in anywise conveyed, had, or made, to or for yo<sup>r</sup> Highnes, by or from any p<sup>son</sup> or p<sup>sons</sup>, bodies politique or corporate, sithence the said first daie of December in the said xliiiij<sup>th</sup> yeare of the raigne of the said late Queene, of any Hon<sup>r</sup>s Castells, Manno<sup>r</sup>s landes, tenements, rents, revercons, services and other hereditaments, for any debt, some or somes of money, or other consideracon whatsoever (other than Conveyances or Estates heretofore had or made, by any Ecclesiastical p<sup>son</sup> or p<sup>sons</sup>, or bodies politique or corporate, not having power or abilitie by the lawes and statutes of this Realme to make the same) shall stand, continue, and be good and avayleable in the law, to all intents, constructions, and purposes, according to the trew meaning, intent, and purport of the same; savinge to all and every p<sup>son</sup> and p<sup>sons</sup> and to their heires bodies politique and corporate, and to their successors and every of them, other than such p<sup>son</sup> or p<sup>sons</sup> and their heires and wives being pties or privies to such conveyances or assurances and every of them, bodies politique or corporate and their successors and every of them, of or from whom the said late Queene, or yo<sup>r</sup> Highnes, hath had, obteyned, or purchased, any mannors, messuages, lands, ten<sup>ts</sup> rents, revercons, services, or other hereditaments, by exchange, gifte, bargaine, fyne, feoffment, recovery deede inrolled or otherwise, all such right, title, interest, use, possession, rents, revercons, remainders, offices, fees, comons, profitts, and comodities whatsoever wch they or any of them have, might, or ought to have had, of, in, and to, the same premises or any pte thereof, in as large and ample manner, forme, and condicon, to all intents, constructions, and purposes, as yff this Act had never bin, ne made, this present Act or anything therein conteyned to the contrarie notwithstanding."

"And whereas as well the said late Queene, as also yo<sup>r</sup> Ma<sup>tie</sup> sithence the said first daie of December in the said 44<sup>th</sup> yeere of the raigne of the said late Queene, as well for divers and greate sumes of money, as also for divers and sundrie other considerations, hath bargained, sold, given, and granted, by sundry Letters Patents, Indentures, or other Writings sealed under the Great Seale of England, or the seale of the Dutchie of Lancaster, or the seale of the Countie Palatyne of Lancaster, as well to bodies politique and corporate, as to divers and sundrie others, her and yo<sup>r</sup> Highnes lovinge and obedient subjects, divers and sundrie Honors, mannors, lands, ten<sup>ts</sup> rents, revercons, services, and other hereditaments, in Fee Simple, Fee Tail, or for terme of life, or lives or yeares, as in the same severall letters patents, indentures, and other writings ys mentioned and declared, that to the intent the same Letters Pattents, indentures, and other writings may be of good, avayleable, and p<sup>r</sup>fect force and effect to all and every yo<sup>r</sup> Highnes lovinge subjects, accordinge to the trew meaning and effect of the same,—it may please yo<sup>r</sup> most Excellent Ma<sup>tie</sup> that it may be enacted by authoritie of this p<sup>r</sup>sent Parlam<sup>t</sup> that as well all and singular Letters Pattents, Indentures, and other Writings, sealed under the Great Seale of England, or under the seale of the Dutchie of Lancaster, or the seale of the Countie Palatyne of Lancaster, heretofore made or granted by the said late Queene, or Yo<sup>r</sup> Highnes for any sumes of money or for and upon any other consideracons, sithence the said first day of December in the 44<sup>th</sup> yeare of the raigne of the said late Queene; as all other Letters Pattents hereafter to be made by yo<sup>r</sup> Highnes, for any sume or sumes of money or other consideracons, before the end of this p<sup>r</sup>sent session of Parlam<sup>t</sup> And moreover all other L<sup>r</sup>es Pattents w<sup>th</sup>in the space of two yeares then next ensuinge to be made, either by force of, or according to, the trew purport, or trew meaning of the commission under the Great Seale of England, nowe in beinge for sale of yo<sup>r</sup> Highnes' lands, or by warrant of yo<sup>r</sup> Ma<sup>tie</sup>s Commissioners authorized to make composicons w<sup>th</sup> yo<sup>r</sup> Highnes' subjects for new Letters Pattents or Grants, to be made by any bodie politique or corporate, or to any other p<sup>son</sup> or p<sup>sons</sup> whatsoever of any Honours, Castells, Manors, Lordships, Granges, Meases, lands, tenements, meadows, pastures, rents, revercons, services, woods, advowsons, nominations, patronages, annuities, rights, interests, entries, condicons, leetes, courts, liberties, priviledges, franchises, or of any other hereditaments with their app<sup>r</sup>tenances, or of any pte or pcell of them, sealed w<sup>th</sup> or under the Greate Seale of England, or under the seale of the Dutchie of Lancaster, or the seale of the countie Palatyne of Lancaster, of whatsoever kind, nature, or qualitie they or any of them be, or shall be reputed, known, or taken w<sup>th</sup> their app<sup>r</sup>tenances or any pte or parcel of them shall be good p<sup>r</sup>fect and



## Relating to Patents before 44 Elizabeth

effectuall in the law, and shall stand, be taken, reputed, deemed and adjudged good, perfect, sure, available, and effectuall in the law, against yo<sup>r</sup> Highnes yo<sup>r</sup> heires and successors, and against all and every p<sup>er</sup>son and p<sup>er</sup>sons heretofore attainted of High Treason, and his and theire heires clayming as heire or heires, so as such attainer yet continue in force and effect, according to the tenour and effect of the said L<sup>ate</sup>s P<sup>at</sup>ents, Indentures or other Writings, the same to be expounded, construed, deemed, and adjudged most beneficialle for the Patentees, and Grantees of the same, and theire heires, assignes, executors, and administrators, according unto the words and purport of every the said L<sup>ate</sup>s P<sup>at</sup>ents, Indentures, or other Writings, without any confirmation, licence, or tollerac<sup>on</sup> of yo<sup>r</sup> Highnes yo<sup>r</sup> heires or successors, by any mis-naming, mis-recitall or non-recitall of any of the same Honours, Castells, Manors, lands, tenements, and other the premises or of any p<sup>ar</sup>cell thereof, or any lack of finding of offices or inquisitions of and in the premises or any p<sup>ar</sup>cell thereof, whereby the title of the same late Queene or of yo<sup>r</sup> Highnes therein ought to have bin found before the making of the said L<sup>ate</sup>s P<sup>at</sup>ents, Indentures, or other Writings, or any misrecitall or non-recitall of leases thereof made, as well of record as not of record, or any misrecytall, non-recitall or not true mentioninge in any such L<sup>ate</sup>s P<sup>at</sup>ents, grants, or wrytings of the said late Queene or of yo<sup>r</sup> Ma<sup>tie</sup>s owne estate or estates, either of free houlde or inheritance of, or in, the premises or any part thereof, whereunto the said late Queene or yo<sup>r</sup> Majestie sithence the beginninge of yo<sup>r</sup> raigne have ben, or hereafter shall be intituled by any attainer, escheate, conveyance, or assurance whatsoever, and in w<sup>h</sup> Letters P<sup>at</sup>ents, grants, or wrytings, noe estate taile formerlie made or supposed to be made, have ben or shall be recyted, and the revercon or remainder thereupon expectant in the same L<sup>ate</sup>s P<sup>at</sup>ents, Grants, or Wrytings, granted, or mentioned to be granted, or any lack of the certaintie, mis-stating, rating, or setting furth of the yearlie value and rate of the premises of the yearlie rents reserved of, and for, the premises or any parcel thereof, menconed or conteyned in any of the said l<sup>ate</sup>s p<sup>at</sup>ents or other wrytings, or for that the premises be, or any part thereof is, valued at more or lesse value in the said l<sup>ate</sup>s p<sup>at</sup>ents or wrytings, than the said manors, lands, tenements, or other the premises then were, or shall be, in the whole yearlie value; or any misnaminge or not true naminge of the townes, hamletts, parishes, or counties where the same Honours, Manors, lands, tenements, rents, hereditaments and other the premises, and every p<sup>ar</sup>cell thereof, or any p<sup>ar</sup>cell thereof, lyen or ben; or any lack of the true naminge of the lands, tenements, or hereditaments, or of the natures, kindes, sortes, qualities, or quantities of the said possessions or hereditaments, or any parcel thereof, or any lack of the true naming of the Corporacons, or any lack of attornment, libertie or seisine, or of any mis-naminge of any of the tenants or farmours of the said Mannors, Honours, lands, tenements, and hereditaments, or any part thereof, so sould, granted, or given, or of any mis-naminge of such p<sup>er</sup>son or p<sup>er</sup>sons, bodies politique or corporate, as at any time before the making of suche l<sup>ate</sup>s p<sup>at</sup>ents, were, or shall be owners of, the premises or any part thereof; or for that the saide manors, lands, tenements, or other the premises, or of any of them, or any of them were entailed to yo<sup>r</sup> Majestie or to any of yo<sup>r</sup> progenitors or predecessors to the contrary thereof notwithstanding."

Proviso—that this Act shall not extend to make any letters patents of offices of other effect or force than in the same letters patents were or should have been before the making of the Act.

Proviso—also that all and singular patentees, grantees, and donees, who within any time then before since the said 1st of December in the 44th yeare of the said late Queen, had obtained and gotten from her or the King her successor, or at any time thereafter before the last day of the Session of Parliament then holden or within two years afterwards, should obtain and get of the said King, by way of exchange, or for any sum or sums of money, or other considerations, any L<sup>ate</sup>s P<sup>at</sup> of any manors, lands, tenements, or hereditaments whatsoever, which at the date of the said l<sup>ate</sup>s p<sup>at</sup>ent sho<sup>u</sup>d be of more yearly value to the said King or late Queen and so answered in yearly rent and farm, than was or sho<sup>u</sup>d be contained and specified in such l<sup>ate</sup>s p<sup>at</sup> or in the particulars or rates thereof made, etc.—that then every such patentee, etc., within one year after office, or other due process, order, and decree thereof made, or to be made within ten years after the then Sessions of Parliament in the Court of Exchequer, should content and pay unto the King, etc., the same overplus of the same manors, etc., so sold, given, or exchanged as aforesaid, after the rate of threescore years' purchase, and according to such yearly value and rate as the same manors, etc., were of, and answered for, at the time of making such l<sup>ate</sup>s p<sup>at</sup>ent, etc., anything in such l<sup>ate</sup>s p<sup>at</sup>ent contained to the contrary thereof in anywise notwithstanding.

Proviso also, that this Act shall not extend to confirm or make good, any lease or leases made by the said late Queen or the then King, or to be made by the latter for term of life or years, or whereon the old and accustomed rents or more, for the lands and tenements so demised



## William Typper again Claims the Rape

or to be demised, should not be reserved and made yearly payable during the term of such lease; nor that this Act shall extend to revive or make good any lres patents made of any office to any comptroller, customer, awlneger, searcher, or to any letters patent of the grant of any other office or offices then before granted or made by the said late Queen or the King, or which at any time thentofore had been determined or made void by Parliament, judgment, or decree; nor to any patents to be made to any persons for a term of years, or during the minority of any heir of any manors, etc., whereof any traverse thereof should be tendered within three months after any office found and certified into any of the King's courts of record; nor to make any letters patent made by the said late Queen or the then King, of any office, of other effect or force than the same letters patent were or should have been, before the making of the Act.

Provided also, that this Act should not extend to any letters patents or any gift or grant therein contained, which at any time thentofore had been made by the said late Queen or the then King, or that should thereafter before the end of the then Session of Parliament be made by the King to any persons, of any manors, lands, etc., by force of any informaçon, suit, or suggestion, made to the said late Queen or to the then King, or to be made,—that the same manors, lands, etc., so contained in any such letters patents were concealed lands, or that the same, or the profits thereof were unjustly withholden from the said late Queen or then King, but that the same Letters Patents should stand and be in the same force as they were before the making of the Act, any thing in this Act mentioned to the contrary thereof notwithstanding.

Provided nevertheless—"That yt be declared and enacted by the authoritie of this presente Parliament, that no letters patents nor any gifte or grante in them conteyned, made, or to be made by warrant of the said late Queene or yo: Ma<sup>tie</sup>s said Commissioners, authorized to make composicons with her or yo: Highnes subjects, for new letters patents or grants to be made unto them are, or ought to be taken, or shall be deemed and taken to be made by force of any informaçon, suite, or suggestion, that the mannors, lands, tenements, or other hereditaments conteyned in the same lres patents were concealed lands, but that they and every of them shall be within the full meaninge of this Acte to be forfeited and made good (as other letters pattents made without any suggestion or informaçon of concealment, or unjust withholding)—Provided alwaies that this Act nor anything conteyned herein, shall extend or be taken to make good any letters patents, indenture or other writings, or any grant in them or any of them contained, which heretofore have bin adjudged or decreed to be void in any of the said late Queene's or yo: Ma<sup>tie</sup>s Courtes of Record at Westminster, or by Act of Parliament; nor to make good any letters patents, or any grant in them or any of them conteyned, of, or concerning, lycences, powers, or priviledges comonlie called monopolies; nor to make good any lres patents or graunts of, or concerning power, licence, libertie, or authoritie given, or execuçon of any penal statute or statutes, or for tolleraçon or dispensaçon of, to, or with, any offence prohibited by any penal statute or statutes; savinge to all and every other person or persons, bodies politique and corporate, theire heires and successors, and every of them, other than yo: Ma<sup>tie</sup> yo: heires and successors, and the persons attainted of highe treason and theire heires, so as such attainder yet remaine in force, all such right, title, int<sup>e</sup>, possession, estate, leases, rents, services, comons and other profitts and comodities whatsoever, as they or any of them sho<sup>d</sup> or might have had before the Lres Patents thereof made, if this Act had never bin had, ne made, anything to the contrarie, etc., notwithstanding."

Proviso—that this Act shall not extend to make good any Lres Patents, etc., whereof there was or sho<sup>d</sup> be any good and lawful estate tail thentofore made by the King or his progenitors, or predecessors, etc., unless such estate tail should in such Lres Patent be duly recited.

Mr. Typper, notwithstanding, commenced fresh proceedings two or three years afterwards, with the view of proving that the Rape and Castle were still vested in the Crown (the particulars of which follow); and in these, though he was unsuccessful, his arguments on the subject are ingenious and display considerable information. He began by addressing Mr. Thomas Pelham in the letter hereunder, intitled—

"RAPE OF HASTINGS — MR. WILLIAM TYPPER'S LETTER DATED MARCH 23RD, 1610, TO MR. THOMAS PELHAM, CONCERNING THE TITLE TO THE HONOUR, BARONY, AND CASTLE OF HASTINGS THEN IN CONTROVERSY."

Sir,—I have of late considered of your Patent made of the Rape of Hastings, and I doe find it to be verie true which you therein affirme, as well by the records by you there vouched, as by the



## Typper's Letter to Thomas Pelham

records remaininge in the Tower,—that the Barony and Rape of Hastings were never parcell of the Earldome of Richmonde.

Whereupon it followeth,—that the Graunts made by King Edward III. to his son John of Gaunt, and the heires of his bodie (being but of the Earldome of Richmonde onelie) did not carry the Barony and Rape of Hastings, but the same still remained in the Crowne.

The like followeth upon the patent made *an.* 1 Henr' IV. to Ralphe, Earle of Westmorland, for terme of his life which (being but of the Earldome of Richmonde onelie) cannot carrie any part of ye Barony and Rape of Hastings whereby the graunte made *an.* 14 Henry IV. unto Sir John Pelham your ancestor, of the reversion of the Rape of Hastings after the death of the same Earle is voyde.

I finde that King Henry VI. *an.* 23 *regni sui*, did graunte unto Thomas Hoo and his heires, the Lordshipp, Barony, Honour, and Rape of Hastings, which at the first was a good graunt, but after the Actes of Resumption *tempore* Henry VI. the same graunt was repealed and made voyde.

And the same Hoo by Deed inrolled dated 14 Nov. anno 1 Edward IV., did graunte unto William, Lord Hastings and his heires—The Lordship, Barony, Honour and Rape of Hastings, (excepting the mannors of Crowherst, Burwasshe, and Bivelham, and the hundreds of Baldeslowe, Hawkesberghe, and Shoeswell) which graunte was voyde, and Hoo, and the Lord Hastings were intruders upon the King's possession, because that the graunt of Hoo was resumed as afore is sett downe.

It appeareth also that King Edward IV. by his lres pattents dated 1 Febr. *an.* 1 *regni sui* after many untrew recitalls, did first ratifie and confirme the right, title, estate, and possession of the said Lord Hastings in the Lordshipp, Honour, and Rape of Hastings unto him graunted by Hoo. Now the Lord Hastings had nothing herein but Hoo's Graunt, nor otherwise, and therefore the confirmation was voyde.

Secondlie the King did release unto the Lord Hastings and his heires, all his right and title, which release for the cause aforesaid was voyde.

Note.—That the King added this proviso to the other,—that if John of Gaunt dye without issue of his body, that then the whole would revert againe to the King and his heires, and—

Thirdlie—the King addeth in the same Patent, viz., "*Et ulterius nos volentes eidem Willmo Hastings et heredibus suis gram in hoc parte facere ampliozem, necnon statu quo de et in premissis sibi ut prediam concess securis providere de ubiori gratia nostra speciali concessimus et hac carta nostra confirmavimus eidem Willo et hered' suis, Castru, Dominiu, Baroniu, et Honorem de Hastings pred' in Com' Sussex; necnon maneria de Crowherst, Burwash, and Bevilham, hundredis de Baldesloe, Hawkesberghe, and Shoeswell, etc.*," by which it is apparent that the King's intention was but to sever the former estate which the Earle had herein, and not to give him anie new estate therein.

But if it were admitted a good grant, yet was the same repealed and made void by the Act of Resumption that after followed.

And the confirmation by King Edward IV., the same being voyde before, doth not make it good, nor this confirmation after.

Whereupon it clerelie followeth, that the whole Barony and Rape of Hastings still remayned in the Crowne, and the late Queene Elizabeth beinge seased thereof in her demesne as of fee, in *iure corone sue Anglie*, did demise the same for *iiiij.* xix. yeares.

And your said grant from his Ma<sup>ty</sup> is voyde, because it doth not recite this lease beinge ot record.

Yet Sir I thought good to acquaint yo<sup>r</sup> with theis particulers, before I commenced anie new suit in law against yo<sup>r</sup> —to the end, that if by yo<sup>r</sup> Counsell yo<sup>r</sup> can and will give satisfaction to his Ma<sup>ty</sup>'s Counsell at law of yo<sup>r</sup> title, then without suit in lawe it maie rest. Yf not, yo<sup>r</sup> may make yo<sup>r</sup> pease by a reasonable composition yf it please yo<sup>r</sup>. And soe requesting yo<sup>r</sup> present answer therein, I rest,

Yo<sup>r</sup> verie lovinge friend,

Holborne 23rd Martij 1610.

WILLIAM TYPPER.

In a case subsequently drawn up and stated by Mr. Typper on his own part, and an answer thereto by Mr. Serjeant Sherley and others, put in on the part of Sir Thomas Pelham, the above arguments are again urged and amplified by the former, and satisfactorily rebutted. The heads of Mr. Typper's arguments are—

# Particulars of Typper's Claim to the Rape

## THE CASE.

DRAWN UP AND STATED BY WILLIAM TYPPER ON HIS OWN PART, AND BY MR. SERJEANT SHERLEY<sup>1</sup> ON THE BEHALF OF SIR THOMAS PELHAM, BAR<sup>T</sup>, CONCERNING THE RAPE, ETC., OF HASTINGS.

### Mr. Typper's Case.

That the Barony of Hastings was no parcel of the Earldom of Richmond; and that the error of accounting so first arose—for that by the death of Peter de Savoy, *temp.* Hen. III., and after, by the death of John de Britannia, *temp.* Edward I., upon each of their deaths the said Earldom and Barony came both together to the Crowne,—not rightly weighing that each of them had severa grants thereof from the Crown, one of the Earldom, and another of the Barony, which severance of the Earldom and Barony, was rightly conceived and expressed in the letters patent which Sir Thomas Pelham had from the King's Majesty (James I.).

The Grant in tail to John of Gaunt (16 Edward III.) only gave to him and the heirs of his body—"the Earldom of Richmond, and all manors and lands thereunto belonging," and the other Charter of the same King (March 6th, *an. reg. sui* 25) did only confirm the former, by which grant no parcel of the Barony and Rape of Hastings did pass, because it was neither parcel nor belonging to the Earldom. The Grant 1 Henry IV. to the Earl of Westmoreland only gave him the Earldom also for life.

The Grant to Sir John Pelham (14 Henry IV.) in like manner bestowing on him—"the manors of Crowherst, Burwash and Bevilham, together with the Rape of Hastings," as "*parcel* of the Castle, County, Honour, and Lordship of Richmond"—as he had before bestowed them during life on the Earl of Westmoreland, being limited in the *Habendum* to Sir John Pelham and his heirs—"post mortem Radī Comiti Westmoreland"—is void because the Earl had no estate therein.

The Grant to Thomas Hoo—King Henry VI. being seized of the Castle, Lordship, Barony, and Honour of Hastings in his demesne as of fee *in jure Corone Anglie*, did by his Letters Patent dated 19th July, *an. reg. sui* 23 grant the same to Thomas Hoo and his heirs.

After, the Commons in Parliament (6th Nov. *an. reg. sui* 28–29) exhibited a Bill. Here is set out the Act of Resumption, see p. 274 *ante*.

The same grant is also resumed and made void by the Act of Resumption 29 Henry VII., and also by the Act 33 Henry VI.

Note.—That neither the said grant made by Henry VI. to Sir Thomas Hoo, nor his name be contained or mentioned in anie exception, moderacon, foreprize, or provision, etc., in this Act—whereupon it clearlie follows—that by virtue of this Acte, King Henry VI. was partly seized again *in statu quo prius*, that is in his demesne as of fee *in jure corone Anglie* of all the premises by him before granted to Sir Thomas Hoo.

After, the said Thomas Hoo and Nicholas Husee and other feoffees, by their Deed dated 4 November, 1 Edward IV. and inrolled in Chancery—

did grant unto William Lord Hastings—The Lordship, Barony, Honour, and Rape of Hastings with their appurtenances (except the manors of Crowherst, Burwash, and Bivelham, the parks of Crowherst and Dudewell, the forest or chace of Dallington, and the hundreds of Baldeslowe, Hawkesberghe, and Shoeswell) which Lordship, Barony, Honour, and Rape (except as excepted) they had of the grant and confirmation of Sir John Pelham, son of Sir John Pelham, senr., by his certain Charter indented to them made,—to have and to hold (except as excepted) to the said William Lord Hastings and his heirs and assigns for ever.

Note.—That Hoo himself saw that his title which he had by King Henry VI. was gone by the Act of Resumption, and therefore he now claimed by grant from Sir John Pelham, who never had any grant thereof but that of 14 Henry IV. which was a void grant as afore is shewed; and if it had been a good grant at first, yet after by the Act of Resumption 4 November 1 Edward IV. (which was before Hoo's grant to the Lord Hastings) the same was resumed and made void.

Note, also,—that both in Hoo's grant to the Lord Hastings, and in Sir John Pelham's grant to Hoo, the manors of Crowherst, Burghersh, and Bivelham are excepted, and therefore not mentioned to be granted by either of those two grants; neither had the Lord Hastings nor any of his heirs, any possession thereof, or made any challenge, after King Edward IV. by his letters patents made unto the Lord Hastings 6 February *an. reg. sui* 2, confirming releasing, and granting as follows, viz.

1. The grant to John of Gaunt in tail of the Earldom of Richmond.

<sup>1</sup> This is the way the Serjeant spelt his name, but the spelling is otherwise varied throughout the correspondence: similarly Mr. Typper spelt his name with a v, but his opponents persistently spelt it with an i.



## Arguments against the Pelham Title

2. That John of Gaunt died seized thereof, and of the Barony and Rape of Hastings, which was parcel thereof.

3. That the same descended to Henry IV. in tail.

4. That Henry IV. granted the Earldom of Richmond to the Earl of Westmoreland for life, *an. reg. sui* 1.

5. That King Henry IV. granted the manors of Crowherst, Burghersh, and Bivelham, together with the Rape of Hastings to Sir John Pelham, to hold to him and his heirs,—after the death of Ralph, Earl of Westmoreland.

6. That Sir John Pelham granted the same to Sir John Pelham his son and his heirs.

7. That Sir John Pelham the son granted and confirmed to Sir Thomas Hoo, etc., feoffees, and their heirs, the said Lordship and Rape of Hastings (except three manors, two parks, a forest and three hundreds).

8. That Hoo granted to William, Lord Hastings, and his heirs—The Lordship, Honour, and Rape of Hastings (except as excepted) whereby William, Lord Hastings, was seized in fee.

Note—That all these recitals above set downe are, in law, the suggestions and informations of William, Lord Hastings, the patentee, and are all untrue in substance and matter—for the Barony and Rape of Hastings was no part of the Earldom of Richmond—nor passed unto John of Gaunt by the grant of the Earldom of Richmond—nor by the death of John of Gaunt did descend unto King Henry IV. in Tail—nor was granted by him unto Ralph Earl of Westmoreland—neither was Sir John Pelham the father nor Sir John Pelham the son, at any time seized of any estate thereof—But the estate in fee simple still remained in King Edward III., and by his death descended to King Richard II., from him to King Henry IV., from him to King Henry V., from him to King Henry VI. ; and remained to King Henry VI. until the 23rd yeare of his reign, when he granted the same unto Thomas Hoo and his heirs, and after by the Act of Resumption *an.* 28 Henry VI., the same was vested and settled again in King Henry VI. *in statu quo prius* and by his death came to King Edward IV. which King at the time of making of his patent to William, Lord Hastings, was seized thereof in his demesne as of fee, *in jure corone Anglie* as in the first lease is partly set down and proved.

After which recitals King Edward IV. confirmed, released; and granted to the said William, Lord Hastings—

The right title and possession of the same William, of, and in, the Lordship, Honour, and Rape aforesaid, etc., and the same granted, accepted and ratified to him and his heirs, and confirmed his tenure and possession thereof, and also remised and released all right and title of him the same King in the same, or any parcel thereof, to the said William and his heirs by the said Charter, with pardon of all former alienations without licence, etc., together with divers and sundry liberties and priviledges.

First—the King's confirmation and release unto the said William, Lord Hastings, is void, because the Lord Hastings had neither estate nor possession in any of the premises.

Secondly—by a clause in this grant, the King before he cometh to the words of grant and confirmation, plainly expresseth how far and to what end, those words of grant and confirmation to the Lord Hastings and his heirs should extend—that is—“That his estate of, and in, the premises to him as aforesaid granted, might be provided for and secured,”—and not to grant him the three manors, two parks, the forest, and three hundreds (which were excepted in the grant of Sir John Pelham to Hoo, and out of Hoo's grant to the Lord Hastings, and whereof Sir John Pelham and not the Lord Hastings was then seized in fee) as by the recitals in this patent appeared unto the King—should do either an idle act or an act of injustice,—as the recitals here had, as the King conceived them so to be, because he was so informed, and took nothing of his own knowledge or mere motion therein.

And lastly—the whole patent is void because those recitals (which in law were the suggestions and informations of the Lord Hastings the patentee) whereupon the patent was granted were untrue, and the King was therein deceived by the patentee, in that, that he was not truly informed of his title, but wrongly informed and induced to conceive that the estate in fee was in others by reason of the former grant from the Crown of the Earldom of Richmond only, whereas in truth the estate in fee still remained in the Crown, in regard that the Barony and Rape of Hastings were never parcel of the Earldom of Richmond.

But if it should be admitted that the patent to William, Lord Hastings, *an.* 1 Edward IV. was in some degree of some validity, yet was the same after resumed and repealed by the Act of Resumption 7 November 1 Henry VII., in which act—the Commons, it is said, in this present Parliament—

## Particulars of Mr. Typper's Claim to the Rape

"Prayen the Kinge—that it will please his Highnes by the advice and consent of the Lords spirituall and temporall in this present Parliament assembled, and by the authoritie of the same, for conservacon and supportation of his estate, which first to God's pleasure, secondlie for his suretie, honour, and wele, and thirdlie for the universal wele, care, rest, and suretie of this londe, the whiche he ought to preferre afore the favor of anie person or any other thing earthly—to take, seaze, have and retayne and resume into his handes and possession from the 21st of August laste paste,—

All such castles, lordshipps, honours, manors, landes, tenementes, revercons, remainders, and other hereditaments, with their appurtenances whatsoever they be in England, Wales, and the Marches thereof, as the most blessed Prince Kinge Henry VI. his onncle, had of estate of inheritance, or anie other to his use had, the second daie of October in the 34th yeare of his raigne, or anie time sith, as parcell, and in the right and title of, the Crowne of England, of the Dutchie of Lancaster, the Dutchie of Cornwall, the Principalitie of Wales, and the Earldome of Chester,—savinge to everye of yo<sup>r</sup> liege people, such ryght, title, and interest, as they or anie of them holde, have or might have had in, or of, the premises, or anie parcel thereof, other than by meanes of letters patentes of anie kinge of this realme, or by anie Acte of Parliament made after the said second daie."

The King's assent to this Petition was—

"As touchinge this Bill of Resumption, the Kinges Highnes hath well conceaved and understood the same, and hath therefore by the advice and assent of the Lords Spirituall and Temporall and Comons beinge in this presente Parliament, and by the authoritie of the same it hath accepted and agreed; soe alwaie that such provisions and exceptions as by his Highnes be, or shalbe made and agreed, and duringe the time of this presente Parliament put in writinge to or upon the premisses, be good and effectuell, the said Bill or Acte or anie other the premisses notwithstanding; for the equite and ryghtways rewardes that the Kinge intendeth to doe to every of his subjectes for his merytts, whiche shalbe to the pleasure of God, and honour of his Highnes, and the wele of his land and people."—The tenour of whiche provisions hereafter ensuen—

Provided always that this Act, etc., be not hurtfull to Edward Hastings Knight, Lord Hastings, ne to the heires of his bodie cominge, ne to his other heires, in, for, or to, anie graunte or grauntes, release or confirmacon of a tenemente called "New Inne," in the parisshe of Seynt Bennetts in Tems street London, or of anie offices, fayres, marketts, tornes, leetes, courtes, parkes, warrens forfeitures of goodes and chattells, treasure founde, fynes, issues, and amerciaments, deodands, wrecks, liberties, franchises, or jurisdicons to the said William (*sic*) by Kinge Edward IV. by anie his letters patentes made or graunted, other than such as are in an acte of restitucon for Edward Lord Rosse, and in another acte of restitucon for William Viscounte Beaumonte in this present Parliament be conteyned and made, nor in, for, or to, anie lands, tenementes, rents, services, fynes, amerciaments, liberties, franchises, advowsons, patronages, possessions and hereditaments, whiche the said William had of the gyfte or graunte of Thomas Hoo and other by their deed, or whiche John Pelham, Knight, by his deed gave, granted, and confirmed unto the said Thomas Hoo and others, in the countie of Sussex—but that the said Edward Hastings, and the heires of the said William Hastings, and other to his or their use, have, retayne, and enjoye, the premises to them and their heires; and also that the same Lres Patentes by the said Edward IV. of anie of the premises, by what name soever the said William, Lord Hastings, or anie of the premises be called or made to the said William, Lord Hastings, and in everye thinge therein conteyned and expressed, accordinge to the effecte of the premisses (other than afore be excepted) stand, and be good effectuall and in their force, in everye thinge accordinge to the purporte and tenor of the same Lres Patentes and of anie of them."

First—it is apparante that this Act of Resumption, did presently and really pass into the hands and possession of King Henry VII. (*int. al.*) all honours, manors, landes, etc., which King Henry VI. 2 die Oct. *an. 34 regni sui*, or anie time after, had of estate of inheritance *in jure corone Anglie*, saving unto every person all such right and title as he should have had, other than by Lres Patentes of anie Kinge, or Acte of Parliament, made after the second daie; and other than such manors, lands, etc., as are excepted in anie of the provisoes or exceptions contained in the same Act.

King Henry VI. 2 die Octobris *an. reg. sui 34*, and alwaies during his life after, was seized in his demesne as of fee, *in jure corone Anglie*, of the Barony, Honour, and Rape of Hastings in the county of Sussex, which at the time of making this Act, was detained from King Henry VII. by color of certain lres patent of King Edward IV. *an. 1 regni sui*, made unto William, Lord Hastings; and therefore by this Act of Resumption, the same Barony, Honour, and Rape of



## Arguments against the Pelham Title

Hastings, were really vested in the hands and possession of King Henry VII., if the same be not excepted in anie of the exceptions therein conteyned in that Act.

There is no exception conteyned in the same Act, that anie way can touch or concern anie grant made to William, Lord Hastings, but that proviso which in this lease is before set down ; the contents of which shall here be opened according to the truth, for so much as in anie Act can be strained to this cause.

1. First—New Inn in Thame Street, granted unto Edward, Lord Hastings, is excepted, which nothing concerneth this cause.

2. Secondly—all offices, fairs, markets, etc., to William, Lord Hastings, by King Edward IV. by any letters patent made or granted, are excepted, other than such, etc., which clause of exception concerneth not this cause.

3. Thirdly—all lands, tenements, rents, services, fines, amerciaments, liberties, franchises, advowsons, patronages, possessions and hereditaments, which the said William, Lord Hastings, had of the gift or grant of Thomas Hoo, and other by their deed ; or which John Pelham, Knight, by his deed gave, granted, and confirmed unto the said Thomas Hoo and others in the county of Sussex excepted ; but that Edward, Lord Hastings, and the heirs of William, Lord Hastings, have and enjoy the premises to them and their heirs.

And also that the same Letters Patent by the same Edward IV. of any of the premises (by whatsoever name the same lands or premises were called) made to the same William, and in everything therein contained and expressed, according to the effect of the premises, stand and be good, effectual, and in their force, in everything according to the purport and tenour of the same letters patent.

Note.—That neither the Barony, Honour, nor Rape of Hastings is mentioned or named in this proviso, nor in any other part of this Act.

1. The first clause of exception concerneth this case nothing at all.

2. The second clause of exception containeth nothing but fines, fairs, markets, and other privileges and liberties, which cannot comprehend in it the real and Royal Barony, Honour, and Rape of Hastings.

3. The third clause of exception containeth nothing in it but the lands, tenements, etc., which William, Lord Hastings, had by the Act or grant of Thomas Hoo and others by their deed, or which John Pelham, Knight, by his deed gave, granted, and confirmed unto the said Thomas Hoo and others. This clause of exception can in no sort touch or concern the Barony, Honour, or Rape of Hastings, because that neither the said Sir John Pelham, nor the said Thomas Hoo, nor any of the other grantors in that deed, at any time had any estate in the said Barony, Honour, and Rape of Hastings, or in any part thereof to grant unto any, as by the first lease is plainly shewed and proved.

4. And the last clause in this exception beginning with these words—"But that," etc., "and every part thereof," is restrained by the word "premises," and shall extend no further than to the premises—that is, to such things as are firmly set down in that proviso ; and therefore cannot in anywise comprehend the Barony, Honour, and Rape of Hastings.

But if the said third clause of exception should be expounded as largely as if it had therein been said "granted or mentioned to be granted" by either of their deeds,—yet it is *clarior luce* that the three manors, the forest, the three hundreds, and other the premises contained in the exceptions of either of these deeds, are not contained in this exception :—and so I conclude that the said grant made by King Edward IV. to the Lord Hastings is void, and if it was not void, yet the lands were resumed and vested really in King Henry VII. by this Act of Resumption ; and from him descended to the late Queen Elizabeth, and her lease made for 99 years thereof is good.

Note.—I. That in the Letters Patent made to Sir John Pelham, there is neither (*ex certa sciencia*, nor, *mero motu*) and therefore in law to be construed most strongly against the Patentee.

2. "*Que sunt pcell Honor et Comitij de Richmond*," is in law the suggestion of the Patentee, which being untrue, though it were but matter (*de facto*), the patent is void—*vide* 16 Henry VIII. B. Pat. p. 21 ; 13 Henry VIII. fo. 7 and 30, B. tit. pat. pl. 48 ; 21 Edward IV. fo. 44 and 47, tit. pat. pl. 71 ; 37 Henry VIII. tit. pat. pl. 100.

3. If the King be seized in fee, and grant to I. S. *hereditis post mortem* I. N., that is a void grant, for that the King is seized thereof in fee, and hath no reversion in him—*vide* 36 Henry VI 34 and 36 B. tit. pat. pl. 29.

Note.—That the King at this time was seized in fee of the Barony and Rape of Hastings, for that there was nothing granted by Letters Patent to Ralph, Earl of Westmoreland, but the

## Mr. Typper's arguments in support of his Claim

Earldom of Richmond; and the Barony and Rape of Hastings were no part thereof, as in the first clause appeareth.

4. *Per totam curiam*—*Grante de Roy un chose unam outre chose (sic)*, before the *Habendum* is good, contrary if the *una cum* be after the *hend*—vide 8 Henry VIII. fo. 2, 13, tit. pat. pl. 56.

5. Notwithstanding the Grant of the Earldom of Richmond to John of Gaunt, yet the Barony and Rape of Hastings remained still in King Edward III., because they were no parcel of the Earldom of Richmond, and therefore passed not to John of Gaunt by that grant, and by the death of King Edward III. the same Barony and Rape descended in fee to King Richard II. who was thereof seized in his demesne as of fee, *in jure corone Anglie*, on St. Matthew's Day, in the 24th year of his reign; because no grant thereof was made either by King Edward III. or King Richard II., the Act of Parliament of Resumption, an. 1 Edward IV. giveth to the said Edward IV. all such manors, lands, etc., as King Richard II. was seized of on St. Matthew's Day an. 23 (*sic*) *reg. sui*, and maketh void all grants made thereof by Kings Henry IV., Henry V., and Henry VI., or by any Act of Parliament in any of their reigns, except such as in that Act 1 Edward IV. are excepted; whereby the said grant made by King Henry IV. to Sir John Pelham, though it had been good before, had been made void, and the lands given again to King Edward IV., because it is not excepted in that Act; so that the grant made to Sir John Pelham was at the first void in itself, yet if it had been good, it had after been made void by the King and the whole realm, and therefore neither by law nor equity to be relieved.

6. That these recitals are in law but the suggestions of the patentee, appeareth plainly by the Lord Cumberland's case in my Lord Coke's 17 Reports fo. 11 R, whereof if any one recital be untrue, the patent is void as appeareth by the cases vouched No. 2.

7. If the King recite a former grant, and do confirm the same (*ut ulterius damus et concedimus*) the land in this clause of "*damus et concedimus*" is void to give any new estate, and shall amount but to a confirmation *tanta*; as appeareth by Hussey, Chief Justice, 1 Henry VII., which case my Lord Coke saith is good law, in his VIIIth Report, in the Earl of Cumberland's case just noticed.

(Serjeant Shenley here notes: "The opinion of Hussey in 9 Hen. VII. is of a franchise void by forfeiture and not of land which ye king maketh grant of; and my Lord Coke in my Lord Cumberland's case sheweth the difference and expressly afterwards saith, that the patent so made of lands is good; and the second clause is as good a new grant as if it were by two severall pattents.")

Lastly—*tempore Marie Regine*, the Earl of Leicester p. nomen, etc., was attainted of high treason at the common law, and after by Act of Parliament the same attainder was confirmed: and further it was enacted, that by virtue of that Act, the said Earl should stand and be convicted of high treason. In that case it was adjudged that this clause was void,—as to attaint him anew, but should extend no further than to a confirmation of the former attainder, as in Mr. Plowden's Reports appeareth.

In a paper of subsequent date to the above, headed as follows, viz. "That the Rape and Barony of Hastings was not in the Crowne at the time of the attainder of the Lord Dacres," Mr. Typper attempts to strengthen his case by the following additional arguments:—

The Earldome of Richmond was granted to John a Gaunt and to the heires of his body, anno 16 Edward III., and afterwards 25 Edward III. the same grant was confirmed.

King Henry the Fourth granted unto Ralphe, Earle of Westmoreland, for terme of his life, the said Earldome of Richmond; by color whereof the said Earle held the Rape and Barony of Hastings as parcell of the said Earldome.

After, Kinge Henry the Fourth, anno 14 regni sui, granted unto Sir John Pelham, Knight, and his heires, the revercon of the said Rape and Barony of Hastings, after the death of the said Earle of Westmoreland.

Whereupon the case will fall out—that if the Rape and Barony of Hastings was parcell of the Earldome of Richmond, then was the same *intailed* to John a Gaunt, and from him descended in taile to Kinge Henry the Fourth *per formam doni predicti*; so that Kinge Henry the Fourth at the time of his grant to the Earle of Westmoreland, was seized thereof in taile *per formam doni predicti*, and he had the revercon thereof in fee expectant upon that estate in taile, *in jure corone Anglie*, whereby his said grante to the Earle of Westmoreland was void, and likewise the grant of the revercon to Sir John Pelham and his heires, upon recital of that void grant for life, was void also.



## Serjeant Sherley defends the Pelham Title

Mr. Thomas Pelham, upon a case delivered to this effect, tooke a new graunte from his Ma<sup>tie</sup> of the Rape and Barony of Hastings to him and his heires ; in which graunte certain records are recited, whereby it appeareth—that longe before the said graunte made to John a Gaunt, the Rape and Barony of Hastings was severed from the Earldome of Richmond (which being true) then the same was never granted to John a Gaunt, nor to the said Earle of Westmoreland (for they had nothing granted but the Earldome of Richmond and lands thereunto belonging) and thereupon the said graunte made to Sir John Pelham anno 14 Henry IV. is most cleerly void.

And the new patent of Mr. Thomas Pelham is most cleerly void, for yf it were parcell of the Earldome of Richmond, then it was intailed in the Crowne, and therefore void. Yf it were no parcell, then was there a lease thereof made under the Greate Seale by the late Queene for 99 yeares, which remaineth a good lease.

And Mr. Pelham's Patent made by his Ma<sup>tie</sup> as lands in possession without recitall of that lease is cleerly void in lawe.

### SERJEANT SHERLEY'S ANSWER.

"MR. TIPPER,—

5th June, 1611.

Whereas you conceive that the Grant made by King Henry VI. anno 23 regni sui, to Thomas Hoo, of the Castell, Lordshipp, Barony and Rape of Hastings, was often repealed and made void by the Act of Resumption, in the time of the said Henry VI. it appeareth in the proviso of the same Act, that the said Lordshipp and lands are excepted, being lands granted to Hoo upon declaration of his just title.

And thereupon the said Hoo, being lawfully seized of the said Rape, etc., in his demesne as of fee, by deed dated 14 November anno 1 Edward IV. did grant the same to William, Lord Hastings, and his heires ; by force whereof the said Lord Hastings was lawfully seized of the same. And the Lord Hastings being so seized, King Edward IV. by his lres patt<sup>t</sup>. 6 Febr. in the first year of his reign, for the comon of the faithful service of the said Lord Hastings, did ratify and confirme the right, title, and estate of the said Lord Hastings.

"*Et ulterius nos volentes eid<sup>m</sup> Will<sup>o</sup> Hastings et hered<sup>is</sup> suis gratiam in hac parte facere amplior<sup>e</sup>, necnon statu suo de, et in, premiss<sup>is</sup> sibi ut prefertur concess<sup>it</sup> securijs providere, de ubiori grā nrā concessimus et hac Carta nrā confirmavimus dict<sup>o</sup> Will<sup>o</sup> et hered<sup>is</sup> suis Castrum, Dominium," etc.*

By which the said King Edward IV. doth give a good estate in the said Rape, etc., to the said Lord Hastings and his heirs (which estate were not good before) which Lres Pat. by the Act of Resumpcon after in the same King Edward IV. tyme is not released, for that in the same Act it is provided, that the same Act shall not extend to the Lord Hastings, of any gift or grant made by the said King Edward IV. to the same Lord Hastings, etc.

By which it appeareth that the Lord Hastings had a good estate, etc., and Sir Thomas Pelham claiming by good conveyances from him, etc.

And yet notwithstanding (*p<sup>r</sup> majore securitate*) the King's Ma<sup>tie</sup> hath by his Lres Pat<sup>t</sup> as you knowe, granted ye same Rape, etc., to Sir Thomas Pelham.

To the objections which you make, that the second clause of Concessimus in the pat<sup>t</sup> of Edward IV., "it should be voyde according to the opinion of Hussey 9 Henry VII.," I answer that the 2nd grant is good in lawe (admitting the first estate is voyde) it being land of which there never was any office found before the King, etc., but which would be otherwise if it were of a franchise, of which Hussey speaks, where there might be an office. Of this difference my Lord Coke (in the Earl of Cholmondeley's case) doth allow where the case is abridged : all which if you consider, I doubt not but will give you good satisfaction.

S. SHERLEY."

The above letter was succeeded by the following one from Mr. Typper, in which he endeavours to invalidate Mr. Sherley's arguments.

### A REPLY TO MR. SHERLEY'S ANSWER CONCERNING THE RAPE OF HASTINGS.

MR. SHERLEY,—

7th June, 1611.

I holde it (*luce clarior*) by the severall Actes of Resumpcons, viz. anno 28 Henry VI. and anno 33 Henry VI., that by every of their Actes, the Graunte made to Thomas Hoo, of the Castle, Barony, and Rape of Hastings anno 23 Henry VI. was resumed and made voyde. And the same Castle, Barony, and Rape of Hastings became vested againe in Kinge Henry VI., for there is no exception of the same graunte made to Sir Thomas Hoo, neither in verie generall or

## Mr. Typper's reply in support of his Claim

particuler exception in those Actes. And by everie of the same Actes, all grauntes made before by the same Kinge, are voyde, savinge such as are excepted. This issue will be fullye tried and ended, by the sighte and readinge of the same Actes.

And the graunte made by Kinge Edward IV. VI<sup>o</sup> die Feb. an<sup>o</sup> regni sui primo, unto William, Lorde Hastings, for manie untrue recitalls therein conteyned (which in lawe are the suggestions of the patentee) is in due construction of lawe voyde, because the Kinge was not truly informed of his tytles, and the graunte cannot extend further than a confirmacon of the Lorde Hastings's former estate, as by the places which I have underlyned in yo<sup>r</sup> answeere supposeth; and a confirmacon of a voyde estate cannot make it good.

But yf it should be admytted that the clause sett downe by you in your answeere did make a good graunte unto Willm, Lo. Hastings and his heires of the p<sup>r</sup>misses, yet is the same by Acte of Resumpcon anno 1 H. VII. made voyde; for the same Acte of Resumpcon geveth to Kinge H. VII. all such Castles, Honours, Lordships, mannors, landes, etc., as Kinge H. VI. had of estate of inheritance, or anie other had to his use, 2 Octobr<sup>r</sup> 34 of his raigne, savinge suche as are in the same Acte excepted. Th' excepcon concerninge the Lo. Hastings are in these words—viz.

"Nor in, for, or to, anie landes, tentes, rentes, s<sup>r</sup>vices, fynes, amerciaments, liberties, franchises, advowsons, patronages, possessions and hereditaments which the sayde Willm Hastings had of the gyfte or graunte of Thomas Hoo and other by their deed, or which John Pelham, Knight, by his deed gave, granted, and confirmed unto the sayde Thomas Hoo and others in the sayde county of Sussex; but that the sayde Edward Hastings and th' heires of the sayde Willm Hastings, and other to his and their use, have and enjoy the premisses to them and their heires; and also that the sayde L<sup>r</sup>es Patents by the sayde Kinge Edward IV. of anie of the premisses made to the sayde Willm in everything therein conteyned accordinge to the effect of the premisses (other than afore be excepted) stand and be good."

In this exception there is nothing excepted but suche landes, etc., which Will. Lo. Hastings had of the gyfte or graunte of Tho<sup>s</sup> Hoo, and others by their Deed or which Jo<sup>n</sup> Pelham Knight by his Deed gave, granted, and confirmed to the sayde Thomas Hoo and others in the Com' of Sussex.

The sayde Willm Lo. Hastings had not the Castle, Baronye, and Rape of Hastings nor anie part thereof, by the gyfte or grant of Tho<sup>s</sup> Hoo and others, nor the sayde Jo<sup>n</sup> Pelham Knight by his Deede did give, grante, and confirme to the sayde Tho<sup>s</sup> Hoo and other, the same or anie parte thereof, because none of them had anie estate or possessions therein to grante, for the estate and possession thereof was in the Crowne, and they all intruders upon the Kinge's possession as before is shewed.

(Serjeant Sherley here notes: "An. 1 H. VII. Have and resume, etc., from the 21 of August last, all suche Castles, etc., as H. VI. had of estate of inheritance, etc., the 2nd daie of October 34 of his raigne of the ryght and tytyle of the Crowne of England the 6th of August, etc. Savinge to every yo. leige people such right, title and heritance w. they or anie of them sho. have or might have had in ye p<sup>r</sup>miss. other than by meanes of L<sup>r</sup>es Pat. of any Kinge of his realme, or any Act of Parl. made after the said 2 daie, etc.")

Whereupon it cleerly followeth, that neither the sayde Castle, Baronye, and Rape of Hastings, nor anie parte thereof is conteyned in this excepcon, and therefore given to Kinge Henry VII. by the body of the Acte.

W. TYPPER.

The letter of Serjeant Sherley, which seems to have been a reply, is dated the 26th of August, 1611, and is given below:—

MR. TYPPER,

26th August, 1611.

I doe not take it for anie thing that I have yet seene to the contrary, that the grant made by Kinge Henry VI. an. 23 regni sui, unto Thomas Hoo of the Castle, Lordship, Baronye, and Rape of Hastings is a good grant, and not repealed by the Act of Resumpcon in the time of Henry VI. —and soe the grante made by Hoo to Will<sup>m</sup>, Lorde Hastings, is good.

But howsoever it be, the grant made after by Edward IV. 6 Febr. an. 1 of his raigne, by the speciall clause in the same pattent "*de ubiori grā nra Concessimus eid<sup>o</sup> Will<sup>o</sup> et hered<sup>o</sup> suis Castrum Dni<sup>i</sup>, etc.*," I holde to be a good grant, and so beinge doth continue good, notwithstanding the Act of Resumpcon made an. 1 Henry VII. and not made voyde by the same Acte for these reasons:—



## Serjeant Sherley's rejoinder in support of Pelham

1. The said Acte of Resumpcon is,—“That the Kinge will please to take, cease, have, retayne and resume into his hands and possession, all such Castles, etc.”—for that the Kinge did not resume into his hands the Castle and Rape of Hastings, according to this power given him by the Parlt<sup>e</sup> but did after, by his Lres Patent under the Great Seale of England in the 3rd yere of his raigne, confirme the same Rape, etc., to the same Lo. Hastings—I take it therefore that the Rape of Hastings is not resumed by this Acte.

2. Admitt it was within the body of the Acte, yet it is holpen by a Provisoe in the same, viz.—“That this Acte be not hurtfull to the said Lo. Hastings for any landes, etc., which the said Lo. Hastings had of the gyfte, feoffment, or grant of Thomas Hoo, or which John Pelham gave, granted, or confirmed to Thomas Hoo in the Countie of Sussex, etc.,” whereby the Rape of Hastings is excepted, for admit no estate passed by those grants, yet their deedes shall not be construed to be voyd deedes, or mencioned only to disturb the landes meant to be excepted. And soe I take it the clause in the said Acte sett downe, viz.—“And also that the same Lres Patent by the said Edward IV. of the premisses to the saide Lo. Hastings, and every thing in them according to the intent and effect of the premisses, etc., stand and remaine, and be good and effectuell, and in ther force in every thing according to the purport and tenore of the same lres pat., etc., doth ratifie and confirme the said patt. of Edward IV.,” by which it doth plainly apere that the said patt. of Edward IV. made to ye Lo. Hastings is good and effectuell, etc.

S. SHERLEY.

We find another upon the subject of this contest addressed by Mr. Typper to Sir Thomas Pelham. Typper's letter is superscribed—“To the ryght worshipp<sup>e</sup> S<sup>r</sup> Tho<sup>s</sup> Pelham Barronett, my verie good friende, Yeve this at Lawghton or elsewhere in the County of Sussex,” and is as follows:—

S<sup>r</sup>

Touchinge the case of Hastings which hathe many yeres depended in question, and havinge more at lengthe considered all Mr. Shurley's answers, and therein have taken the best advice of counsaile learned in the lawes, that I colde gette, have upon mature deliberation thoughte fytt that I shoulde send you nowe at large, the whole case as it standeth; as well what is to be sayed to yo<sup>r</sup> Lres Patent<sup>e</sup>s of the raigne of Edward IV., as also touchinge the Actes of Resumpcon; all which have beene done uppon greate studye and charges. My counsaile did mervail that I wolde thus plainlie laye myselfe open to you, to whiche I answered I knewe you weare a worthie gent; and that you wolde consyder what was best for yo<sup>r</sup>selfe in a cause of this moment, and so a lese in lawe, besides the present possessions and arrearages w<sup>ch</sup> cannot be by you well borne. This w<sup>ch</sup> I do to yo good S<sup>r</sup>, is not usuall, and so I hope you will take it. Therefore I praye you be you well advised, that against the beginninge of the tearme, I may receive yo<sup>r</sup> full resolucon, eyther peace or warre, the choice shalbe yours; for I am more fullie resolved to putt the cause to an ende, either by triall in lawe, or by a friendly composicon. Besides yf yo<sup>r</sup> counsaile dowbte of anie thinge, let us attende his Ma<sup>ties</sup> counsaile, to whom I will refer myselfe and cause. And so rememb'ringe myselfe unto you do comytt y<sup>e</sup> to the will of th' Almightye whoe ever present ys. From yo<sup>r</sup> frende at my house in Holborne this last daye of August 1611.

W. TYPPER.

Another letter from Mr. Typper to the Serjeant, on this subject, runs as, follows:—

MR. SHERLEY,—

I much mervile how you could conceive that the Grante made to Hoo, anno 23 Henry VI., was not resumed and made voyde by the Actes of Resumpcon *tempore* H. VI. if you had redd that patent and those Actes.

For that proviso which you mencion that should save that patent out of those Actes is that, viz.

“And that this Acte extend not to any person or persons havinge restitucon of their inheritance bygone, uppon there tittle to you shewen in there lres patent of restitucon.

Nor to any person having rightfull restitucon uppon ther tittle shewed in ther Lres Patent<sup>e</sup>s of restitucon except all lands whereof any person hath had restitucon by Acte of Parliament or by course of the comon lawe.”

Hoo's patent was not a grant of restitucon, nor any tittle is showed for him in that patent, but was a meere patent<sup>e</sup> of bountie and free gifte; Hoo never having any tittle thereunto before,—

## Mr. Typper's Claim abandoned

which part of your note palpably qualinge, (qualifying) all the rest dependinge thereon falleth to the waste, not worthe the reycitall.

(Serjeant Sherley here notes: "The recitales in the Pat. of Ed. IV. ar true *in facto* for it doth only recite former Lres Pat. but though they were not true, and that goeth but to the confirmation; for the 2 clause of the grant is as good as if it were in a New Patent.")

And tochinge yo<sup>r</sup> clause in the pat<sup>t</sup> to Lo. Hastings an. 1 Edward IV. "*Et ulterius Nos volentes*, etc.," sufficient authoritie is already sett downe unto you—that it is voyd as to grante any new estate, and shall onlie enter but to a confirmacon, wherein you maye satisfie yo<sup>r</sup>self if you but reade ov<sup>r</sup> the Earle of Leicester's case in Mr. Plowden's Commentaries, where both the case of 1 Henry VII. and many other authorities and books are cyted upon the verie pointe.

But you have left a pryncipall pointe sett downe in the case untouched in this yo<sup>r</sup> note, which is, that the same patent *anno* 2 Edward IV. is utterly voyde, by reason of the untrue suggestions thereon conteyned.

And to the last pointe of Sir Thomas Pelham's Newe Patent sett downe in yo<sup>r</sup> note—you know that the lease was made before yo<sup>r</sup> patent, which beinge a lease of recorde, impeacheth yo<sup>r</sup> Patent.

And soe I conclude and require a direct answere whether you will make any ende or nott, eather peace or lawe, wherein I rest indifferent, and not to spend any further tyme in any impertinent thinge.

25<sup>th</sup> of October, 1611.

Ex. p. WILLM TYPPER.

This letter seems to have terminated the correspondence, and it does not appear that any further action was taken in the matter.

The following abstract of certain documents will illustrate the chief dealings with the Rape down to a comparatively modern time. The numbers at the commencement of some of the paragraphs are references to them in the collection belonging to the Sussex Archæological Society, and are now at Lewes Castle.<sup>1</sup>

*A.D. 1626, November 25<sup>th</sup>.*

37. Special livery by letters patent dated 25<sup>th</sup> November 2 Charles I. (1626), to Sir Thomas Pelham, bart., son and heir of Sir Thomas Pelham, bart., deceased, of the lordships, manors, messuages, lands, etc., of his said late father. Inrolled before the auditors of the Court of Wards and Liveries, Hil. 2 Charles I.; and in the Memoranda of the Exchequer, Hil. 2 Charles I. [*Latin.*]

*A.D. 1636, April 20<sup>th</sup>.*

43. Letters patent dated 20<sup>th</sup> April 12 Charles I. (1636), granting licence to Sir Thomas Pelham, bart., to alienate the honour, castle, lordship, and rape of Hastings, and the manors of Burwash, Bibleham, Crowhurst, and Byshopstowne, *alias* Byshopstone, also the hundreds of Gouldspurre, Stapull, Gestlinge, Nendfeild, Netherfeild, Henhurst, Hawksborough, Shooswell, and Baldsloe, the rectory of Laughton, and the advowson of the vicarage of Laughton, to John Milington, gent. [*Latin.*]

Covenant by Sir Thomas Pelham, of Laughton, co. Sussex, Bart., with Henry Vane, Esquier, eldest son of Sir Henry Vane, Knight, Treasurer of the Household, Principal Secretary to his Majesty, etc., and Thomas Twisden of the Inner Temple, London, Esquier, to settle upon Margaret Vane, his intended wife, and daughter of the above Sir Henry Vane, the manor of Peplesham at Peplesham (in Bexhill) and the prebend, *with the ruined Chapel, etc.*, of Bulverhide (Bulverhithe), co. Suss., in tail male, with remainder, in tail male to the said Sir Thomas Pelham and remainder in default to him and his heirs. Dat. 2<sup>nd</sup> June 16 Charles I. 1640. *Eng. Sig.* of Henry and Thomas Twisden. (*Add. Ch.* 30710).

Sir Thomas Pelham, of Laughton, co. Suss., Bart., covenanted with Sir Henry Vane the younger, of Fairlane in Shipborne, co. Kent, Knight, and Thomas Twisden of the Inner Temple, London, Esq., to settle upon Margaret his wife the manor of Crowherste (Crowhurst) co. Suss., with the *iron-works, forge, furnace, etc.*; to the use of the said Sir Thomas Pelham and Margaret his wife in tail male, with remainder in default to the heirs of the said Sir Thomas Pelham.

*Dat.* 13<sup>th</sup> June, 24 Charles I. 1648. *Eng. Seals.*

Signature of Henry Vane, Thomas Twisden, Margaret Pelham, and Sir Thomas Pelham. (*Add. Ch.* 29970).

<sup>1</sup> For these I am indebted to Mr. E. H. W. Dunkin, F.S.A., who has compiled an excellent catalogue of the chief Pelham documents in possession of the Society.



# The later History of the Rape

*A.D. 1648, June 12th.*

50. Indenture made 12th June, 24 Charles I. (1648), between Sir Thomas Pelham of Laughton, bart., of the first part ; Sir Robert Sydney, knt., Lord Sydney of Penshurst, Viscount Lisle, and Earl of Leicester, Philip, Viscount Lisle, his son and heir apparent, Algernowne Sydney, esq., (beheaded 7th December, 1683, Rye House Plot?), his second son, Sir John Monson of Burton near Lincoln, K.B. and bart., Sir John Temple of London, knt., and others, of the second part ; and John Pelham, Esq., son and heir apparent of Sir Thomas Pelham, and the Lady Lucy Pelham, his wife, one of the daughters of Robert, Earl of Leicester, of the third part ; being a settlement of divers manors and lands in Middlesex and Sussex. [*Framed.*]

51. Duplicate of the preceding deed. [*Framed.*]

*A.D. 1654, November 13th.*

53. Probate of the will of Sir Thomas Pelham of Laughton, bart., made 11th August, 1654. Dated under the seal of the Court for Probate of Wills, 13th November, 1654.

*A.D. 1669, July 5th.*

64. Exemplification by letters patent dated 5th July, 21 Charles II. (1669), at the request of Sir John Pelham, bart., of letters patent of inspeximus dated 29th October, 2 James I., confirming the title of Thomas Pelham, esq., to the manors of Crowhurst, Burwash, and Bevilham, and the rape of Hastings. [*Latin.*]

*A.D. 1679, Mich.*

75. Extract from the Recovery Index, for Mich. term, 31 Charles II. (1679), setting forth the particulars of a recovery then suffered of the honour and castle of Hastings, and divers manors and lands, in which Sir John Pelham, bart., appeared as vouchee, who vouched Thomas Pelham esq. (ro. 241). [*Paper.*]

*A.D. 1679, October 18th.*

76. Indenture made 18th October, 31 Charles II. (1679), between Sir John Pelham of Laughton, bart., and the Lady Lucy, his wife, of the first part ; Thomas Pelham, Esq., his son and heir apparent, of the second part ; Peter Bois of S. Andrew's, Holborn, co. Middlesex, gent., and Henry Heblethwayte of the same, gent., of the third part ; Sir William Jones of Grays Inn, co. Middlesex, knt., of the fourth part ; and Elizabeth Jones, only daughter of Sir William Jones, of the fifth part ; being a settlement of divers lands in Middlesex and Sussex, on the marriage of Thomas Pelham and Elizabeth Jones. Seals and signatures of "John Pelham," and "Thomas Pelham."

77. Duplicate of the preceding indenture.

Exemplification of recovery by William Jones, miles, and George Pelham, armiger, against Peter Boyde and *generosus* and Henry Hebblethwaite and *generosus*, of the Honour, Rape, etc., of Hastings ; the manors of Laughton, Ripe at Eckington and Burwash, Bevilham (Bibleham in Mayfield), Bishopston, Cowden (? *S.W.* of Ashburnham), Warlington (? in *Hellingly*), Fosters, Foxhunt (in Waldron), Dallington, Chittingley (Chiddingly), Birch (in Chiddingly), Hellingley (Hellingly), and Mawfee (in Hellingly) ; the hundreds of Shiplake, Netherfield, Henhurst, Staple, Gestling (Guestling) Goldspur, Neufeild (Ninfield), Foxearle, Hawkesborough, Shooswell (Shoyswell), and Balslow (Baldslow), the park of Haland (Halland W. of East Hoathly) ; 500 mesuages, etc. in Laughton, Ripe, Waldron, East Hoathly, Chittingley, Lewis (Lewes), Hellingley, Bishopstone, Denton, Watling (Wartling), Herstmonseux (Herstmonceaux), Mayfeild (Mayfield), Wadhurst, Dallington, Burwash, Brightling, Warbleton, Southover, Mawling (South Malling), and Ringmer ; and the advowsons etc. of Laughton, Hellingley, Hoo (Hooe), and Burwash, co. Suss.

Dat. 28th November, 31 Charles II. (1679). *Lat.* (*Add. Ch.* 30053).

*A.D. 1686, East.*

78. Extract from the King's Silver Book for Easter term, 2 James II. (1686), setting forth a fine then levied between Gilbert, Earl of Clare, and John White, esq., plaintiffs, and Sir John Pelham, bart., Thomas Pelham, esq., and George Pelham, esq., *deforciants*, of the honour, castle and rape of Hastings, and divers hundreds and manors. [*Paper.*]

*A.D. 1686, May 7th.*

79. Deed-poll of Sir John Pelham of Laughton, bart., by which he revokes the settlement of the manor of Laughton, the honour, castle, and rape of Hastings, and other estates in co. Sussex, made by indenture, dated 18th October, 31 Charles II. (1679). Dated 7th May, 2 James II. (1686). Seal and signature of "John Pelham."

## Abstracts of Deeds

*A.D. 1686, May 10th.*

80. Indenture made 10th May, 2 James II. (1686), between Sir John Pelham of Laughton, bart., Thomas Pelham, Esq., his son and heir apparent, and George Pelham of S. Andrew's, Holborn, co. Middlesex, esq., of the first part; the Right Hon. Gilbert, Earl of Clare, and John White of Cotgrave, co. Nottingham, esq., of the second part; and the Right Hon. the Lady Grace Holles (youngest daughter of the said Earl), of the third part; being the settlement made on the marriage of Thomas Pelham and the Lady Grace Holles of the honour, castle, and rape of Hastings, and divers other manors and lands. Signatures of "John Pelham," "Thomas Pelham," and others.

Fine by which John Pelham, Bart., Thomas Pelham, and George Pelham, armiger, *deformante*, recognize the right of Gilbert (Holles) (3rd) Earl of Clare, and John White, armiger and querente, to the above Honour, manors, park, messuages, advowsons, etc., for £3,000. Dat. Westminster, the day aft. Ascension Day, 2 James II. (1686). *Lat. Chirograph.* (*Add. Ch.* 30054).

*Add. Ch.* 30055. Counterpart of the above. *Lat.*

*A.D. 1721, August 10th.*

186. Indenture made 10th August, 8 George I. (1721), by which Thomas Holles, Duke of Newcastle, K.G., mortgages to Henry Shelley, the elder, Henry Shelley, the younger, and George Binkes, all of the parish of S. Paul, Covent Garden, co. Middlesex, mercers, and copartners, the honour, castle, and rape of Hastings, and other estates. Seal and signatures of "Holles Newcastle," "Henry Shelley, sr.," "Henry Shelley, junr.," and "George Binckes." Endorsed is the deed-poll of Cordelia Shelley, dated 10th August, 1743, by which after setting forth that the said mortgage had been paid off, she reconveys the premises in trust for the Duke of Newcastle.

*A.D. 1723-4, January 22nd.*

187. Indenture made 22nd January, 10 George I. (1723), by which Thomas Holles, Duke of Newcastle, Marquess and Earl of Clare, Viscount Haughton, and Baron Pelham of Laughton, and the Hon. Henry Pelham, esq., only brother of the said Duke of Newcastle, mortgage to Henry Rogers, of London, goldsmith, the honour, castle, and rape of Hastings, and divers hundreds, manors, and lands. Seals and signatures of "Holles Newcastle," and "H. Pelham."

*A.D. 1724, December 8th.*

193. Indenture made 8th December, 11 George I. (1724), by which Thomas Holles, Duke of Newcastle, Marquess and Earl of Clare, Viscount Laughton, and Baron Pelham of Laughton, indemnifies the Hon. Henry Pelham, esq., only brother of the said Duke of Newcastle, from his covenants in conjunction with the said Duke, as contained in a certain mortgage-deed to Henry Rogers, dated 22nd January, 1723. Seal and signature of "Holles Newcastle."

*A.D. 1742-3, February 2nd.*

220. Indenture made 2nd February, 16 George II. (1742), by which Peter Walter of S. Margaret's, Westminster, co. Middlesex, esq., and the surviving executors of Henry Rogers of London, goldsmith, deceased, viz., Robert Rogers, of Ramscome, co. Wilts, clerk, and Samuel Child of London, esq., assign a mortgage on the honour, castle, and rape of Hastings, and divers hundreds and manors in Sussex, to John, Lord Monson, one of the lords of H.M. Privy Council, Charles Monson of Gray's Inn, co. Middlesex, Esq., his brother, and Hutton Perkins of Lincoln's Inn, co. Middlesex, esq. Seals and signatures of "P. Walter," "Sam. Child," and "Holles Newcastle."

*A.D. 1752, April 1st and 2nd.*

227 & 228. Indentures of lease and release made 1st and 2nd April, 1752 (25 George II.), by which Thomas Holles, Duke of Newcastle, conveys to the Hon. Richard Arundell of Allerton Mauleverer, co. York, Esq., and Andrew Stone of S. Martin's in the Fields, co. Middlesex, esq., his reversion in fee of the honour, castle, and rape of Hastings, and divers hundreds and manors, in trust for the benefit of the daughters of Henry Pelham, esq., only brother of the said duke. Seals and signatures of "Holles Newcastle," "H. Pelham," "R. Arundell," and "Andrew Stone."

*A.D. 1756, October 18th and 19th.*

239 & 240. Indentures of lease and release made 18th and 19th October, 30 George II. (1756), by which Thomas Holles, Duke of Newcastle, K.G., Henry, Earl of Lincoln, K.G., and Katherine, Countess of Lincoln, his wife, one of the four daughters and coheirs, and joint devisees named in the will of the Hon. Henry Pelham, esq., deceased, convey a fourth part of the honour, castle, and rape of Hastings, and other estates in Sussex, to John Rayner of Sunbury, co. Middlesex, esq., to



## Relating to the later History of the Rape

make him tenant to the precipe, that a common recovery may be suffered to bar all estates tail. Seals and signatures of "Holles Newcastle," "Lincoln," "K. Lincoln," and "Jno. Rayner."

*A.D. 1758, March 24th and 25th.*

242 & 243. Indentures of lease and release made 24th and 25th March, 1758 (31 George II.), by which Thomas Holles, Duke of Newcastle, and also John, Duke of Rutland, Andrew Stone, of S. Martin's in the Fields, co. Middlesex, esq., and John Rayner of Sunbury, co. Middlesex, at the request of Thomas Holles, Duke of Newcastle, and Henry, Earl of Lincoln, convey to Francis Lord Middleton, the castle and rape of Hastings and other Sussex estates, for the purpose of re-settling the same, and securing a mortgage of £20,000 and interest. Seals and signatures of "Holles Newcastle," "Rutland," "Andrew Stone," "Jn<sup>o</sup>. Rayner," and "Lincoln."

Grant and release from Thomas Holles (Pelham Holles), Duke of Newcastle, to Henry (Pelham-Clinton), Earl of Lincoln, and John (Ashburnham) 2nd Earl of Ashburnham, of lands, etc., in Lewes, co. Suss. ; and grant of the remainder or reversion of the Honour, Castle, and Rape of Hasting (Hastings), with the hundreds of Netherfield, Henhurst, Staple, Gestling (Guestling), Goldspurr (Goldspur), Neudfield (Ninfield), Balslow (Baldslow), Haukesborough (Hawkesborough), and Shoyswell ; of the hundreds of Shiplake with the manors of Laughton, Bishopstone, and Ripe, and the capital messuage of Halland, and with Halland park and lands, woods, etc., in Laughton and East Hoadley (East Hoathly), etc., of the Rectory, etc., of Burwash, and the vicarage, etc., of Laughton, Hellingley, and Burwash ; of Chinting Farm in Seaford ; of Bishopstone Place, Norton Farm, and Denton lands in Bishopstone and Denton ; and of land in Brightling, and of the Castle ground in Hasting (Hastings), and with every kind of appurtenance ; to settle mortgages of £20,000, etc., and further to various uses recited.

Dat. — 1758. *Eng. Unexecuted.* (*Add. Ch.* 30686).

*A.D. 1764, April 18th and 19th.*

250 & 251. Indentures of lease and release made 18th and 19th April (4 George III.), by which Thomas Holles, Duke of Newcastle, K.G., conveys to John Butler of Warminghurst Park, esq., and George Onslow of Curzon Street, co. Middlesex, esq., his reversion in fee simple of the honour, castle, and rape of Hastings, and other estates in Sussex, upon trust to sell the whole or any part. Seals and signatures of "Holles Newcastle," "John Butler," and "George Onslow." Endorsed are indentures of lease and release, dated 10th and 11th May, 48 George III. (1808), by which George Earl of Onslow assigns his trust to John Boodle of the parish of S. George, Hanover Square, co. Middlesex, gent. Seals and signatures of "Onslow," "Midleton," and "Chichester."

*A.D. 1764, April 19th.*

256. Indenture made 19th April, 4 George III. (1764), by which John Shelley of Mitchell Grove, esq., and Edward Woodcock of Lincoln's Inn, co. Middlesex, esq., by the direction and appointment of Thomas Holles, Duke of Newcastle, K.G., mortgaged the honour, castle, and rape of Hastings, and divers hundreds, manors, and lands in Sussex, to Joseph Godfrey, of the Sun Fire Office in the City of London, esq., and Alexander Hamilton of Lincoln's Inn, co. Middlesex, esq., for securing the payment of £20,000 and interest. Seals and signatures of "Holles Newcastle," "Joseph Godfrey," and "A. Hamilton."

*A.D. 1770, April 27th.*

267. Indenture made 27th April, 10 George III. (1770), by which Alexander Hamilton of Lincoln's Inn, co. Middlesex, esq., assigns to the Hon. and Right Rev. Richard, Lord Bishop of Durham, a mortgage on the honour, castle, and rape of Hastings, and other estates in Sussex for securing £20,000 and interest. Seals and signatures of "A. Hamilton," "Pelham," "George Onslow," and "R. Duresme." Endorsed with an assignment from Robert Lord Trevor to John Trevor, esq., 28th April, 1772 ; and another from John Trevor to Abraham Baley, 12th May, 1787.

268. Counterpart of the preceding indenture. (Same signatures.)

*A.D. 1784, June 11th.*

297. Indenture of lease made 11th June, 1784, by which Thomas, Lord Pelham, Baron Pelham, and Thomas Pelham, his eldest son, by Lady Ann Pelham his wife, convey to Edward Boodle of S. George's, Hanover Square, co. Middlesex, gent., the honour, castle, and rape of Hastings, and other Sussex estates of his lordship for one year (*not executed*).

## History of the Pelham Family

Concerning the origin of the Pelham family in England there exists, as usual with early pedigrees, considerable confusion. So far as their descent in England is concerned, both Collins, in his *Peerage* and Mr. M. A. Lower in the *Sussex Archæological Collections*, vol. xxiv. (quoting Mr. E. Avenel) give the earliest known family seat as being in one of three manors of Pelham, in Hertfordshire. Both Mr. Lower and Mr. Avenel claim for them an early Norman origin, believing them to be descended from one Ralph de Bec, who is said to have been seated at Pelham, in Hertfordshire, in 1086. He was son of William de Bec-Crespin (Crépin) in the arrondissement of Havre. It is claimed that it was from his grandson, Ralph de Pelham, that Walter de Pelham was descended, which latter is the first of the Pelham family recorded as holding land in Sussex, namely near Hailsham in the Rape of the Eagle (Pevensey), 1299-1300. It does not appear to the author that this important link connecting the Sussex Pelhams with those of Hertfordshire and Cambridge is clearly made out. The occurrence of a name of a witness to a deed, "Henry de Palerne," associated with that of Walter de Scotney (the last Walter of that name, and put to death *circa* 1259, see *ante*, p. 94), in a charter to the Priory of Hastings [Nichol's *Col. Topog.*, vol. vi., pp. 161-168] seems to point to an earlier origin of the Pelhams in the Rape of Pevensey, where also indeed is a manor of Pelham, which was leased to the above-named Priory by its re-founder (at Warbleton), Sir John Pelham, in 5 Henry VI. Other members of this family were also benefactors to this Priory.

Collins, in his *Peerage* (vol. v., pp. 418-527) gives a detailed account of the careers of the Pelhams from the time of Edward III. up to the time of their creation as Earls of Chichester, in 1801.

Thomas Pelham became first baronet in 1611, and the third baronet, Sir Thomas Pelham, was created Baron Pelham of Laughton in 1706. Thomas, second Lord Pelham, was created first Duke of Newcastle, 1715, and died without issue. The Barony of Pelham then devolved on Thomas Pelham, Esquire, of Stanmer—grandson of John Pelham, younger brother of the first Baron. He was created the first Earl of Chichester in 1801. His son and heir was Thomas Pelham, who succeeded in 1805. His grandson succeeded in 1826, and his great-grandson, Francis Godolphin Pelham, who succeeded in 1902, is the present earl.

The family are repeatedly mentioned in ancient documents dealing with the Rapes of Hastings and Pevensey.

They were seated at Laughton before 1403. In the time of Queen Elizabeth they built the mansion at Halland upon the boundary-line of the parishes of East Hoathly and Laughton. Stanmer, near Brighton, afterwards became, and is now the chief seat of the family.

### "THE NEWCASTLE ROLLS" RELATING TO THE RAPE OF HASTINGS.

Among the vast collection of deeds and documents presented in 1887 to the British Museum by the late Earl of Chichester, are a series of 1751 rolls relating to Sussex in general, and more particularly to the Rape of Hastings, of which the Pelham family had the grant<sup>1</sup> (see among these rolls *Additional Roll*, 31577, a

<sup>1</sup> The Rape of Hastings consists of thirteen hundreds, viz., Baldslow, Battle, Bexhill, Foxearle Goldspur, Gosthrow, Guestling, Hawkesborough, Henhurst, Netherfield, Ninfield, Shoyswell, and



## “The Newcastle Rolls” relating to the Rape

charter-roll of grants of the Rape, etc.). They are numbered in the Museum Catalogue, *Additional Rolls*, 30988–32739, and are arranged, in rough topographical order, under the following heads:—

- |  |  |
|--|--|
| * Accompts with the exchequer, etc. (30988–31065).               | Hellingly (31824–31839).                     |
| * Miscellaneous accompts for various manors, etc. (31066–31079). | Hoathly, East (31840–31847).                 |
| * Bibleham in Mayfield (31163–31240).                            | Hurst in Hellingly (31848–31857).            |
| Bishopstone (31241–31306).                                       | Laughton (31858–32383).                      |
| Broadwater (31307–31308).  | Preston (32384–32388).                       |
| * Bucksteep in Warbleton (31309–31314).                          | Rype al. Eckington (32389–32398).            |
| * Burwash (31315–31403).   | Shiplake hundred (32399–32590).              |
| Chiddingly (31404–31483).  | Trever, etc., in West Chilton (32591–32594). |
| * Crowhurst (31484–31501).                                       | Waldron (32595–32598).                       |
| * Dallington (31502–31523).                                      | * Wartling (32599–32725).                    |
| * Hastings Rape (31524–31814).                                   | Woodhorn prebend (32726–32736).              |
| * Hawkesborough hundred (31815–31823).                           | * Wilting in Hollington (32737).             |
|  | Warlington in Hellingly (32738–32739).       |

Only those marked with an asterisk relate as a whole to Hastings Rape, though there may be rolls relating to the Rape under other heads. The above heads are not mutually exclusive: the rolls of several manors may be entered together, or the rolls of a hundred with those of a manor.

It will be convenient, for the purpose of this work, to rearrange those rolls which relate to Hastings Rape according to the several courts the business of which they record—the sheriff's turn for the shire, the last for the rape, the hundred-court for the hundreds, and manorial courts.

They are as follows:—

### SHERIFFS' TURNS.—1474–1644.

*Add. Rolls.* — 31598, 31602–31612, 31615, 31617–31619, 31622–31632, 31634–31649, 31651–31655, 31661, 31663, 31665, 31678, 31681, 31686, 31692, 31696, 31701, 31708, 31724–31726, 31743–31747, 31761–31768, 31771, 31775, 31776, 31778, 31783, 31791, 31801, 31810.

### LASTS.—1387–1649.

*Add. Rolls.* — 31516, 31527, 31528, 31531, 31532, 31535, 31544, 31548, 31552, 31553, 31555, 31557, 31559–31562, 31564, 31565, 31569, 31571, 31574, 31575, 31583, 31584, 31590, 31592, 31593, 31602, 31609, 31612–31615, 31617–31619, 31622–31632, 31634–31636–31638–31654, 31658, 31660, 31663, 31674–31676, 31682–31684, 31687, 31690, 31691, 31694, 31697, 31700, 31702, 31704, 31706, 31707, 31709–31714, 31716–31720, 31722–31725, 31729–31754, 31756, 31757, 31759, 31760, 31773, 31777, 31779, 31780, 31782, 31784, 31785, 31787–31790, 31792–31799, 31802–31809, 31811–31814.

### HUNDREDS.—1392–1644.

*Add. Rolls.* — 31524, 31525, 31529, 31530, 31533, 31534, 31536–31543, 31545, 31546, 31549–31551, 31554, 31558, 31563, 31566–31568, 31570, 31572, 31573, 31576, 31578, 31580, 31581, 31585–31587, 31591, 31594–31596, 31598–31601, 31603–31608, 31610, 31611, 31616, 31620, 31633, 31656, 31657, 31659, 31662, 31664, 31666–31669, 31671–31673, 31677, 31679, 31680, 31685, 31688, 31689, 31699, 31703, 31721, 31728, 31761–31768, 31771, 31775, 31776, 31778, 31783, 31786, 31791, 31800, 31810, 31815–31823.

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Staple. The Earl of Chichester is lord of all the hundreds except Gosthrow, Battle, Bexhill, and Foxearle, of which latter hundred the Earl of Ashburnham is lord, it having been sold by Sir John Pelham to Sir Roger Fynes, Knight, in 17 Henry VI. Lord Chichester appoints the coroner for the Rape. The hundreds of Battle, Bexhill, and Gosthrow were exempt from shires and hundreds, and free from all tolls, markets and amerciaments. Bexhill, containing the Bishop of Chichester's manor, and Gosthrow, chiefly belonging to the Abbey of Fécamp, both received their privileges before the Conquest. Battle was exempt by the Conqueror's Charter.

# Manorial and other Accounts of the Rape

## MANORS.

Bibleham in Mayfield, 1388-1657. *Add. Rolls.*—31080-31162.

Bucksteep in Warbleton, 1306-1403. *Add. Rolls.*—31309-31314. Sometimes also entered with Wartling (see below).

Burwash, 1403-1656. *Add. Rolls.*—31315-31358, 31815-31823. Sometimes also entered with Bibleham (see above).

Crowhurst, 1427-1622. *Add. Rolls.*—31484-31500.

Dallington, 1313-1480. *Add. Rolls.*—31502-31515.

Wartling, 1333-1421. *Add. Rolls.*—32599-32720. Entered also with Dallington (see above).

Wiltling in Hollington, 1365. *Add. Roll.*—32737.

In connection with each kind of court there are compotus rolls or rolls of accompts of the issues. They are roughly as follows :—

### SHERIFFS' ACCOMPTS, 1561-1692.

*Add. Rolls.* — 31076, 31670, 31693, 31695, 31698, 31705, 31715, 31727, 31755, 31758, 31769, 31770, 31772, 31774.

These relate, as detailed in the Exchequer acquittances below, to fines, etc., in the King's Bench, at the assizes, and before justices of the peace.

There are few, if any, accompts relating to hundreds in Hastings Rape, though there is a long series of accompts of the Aldermen of Shiplake Hundred in Pevensey Rape.

ACCOMPTS OF THE RECEIVERS FOR THE RAPE, APPARENTLY THREE IN NUMBER, ATTACHED TO THE THREE MANORS, BIBLEHAM, BURWASH, AND CROWHURST, SPECIFICALLY GRANTED WITH THE RAPE (see *Add. Roll* 31577), 1420-1463.

*Add. Rolls.* — 31166-31168, 31177, 31178, 31182, 31193, 31196-31201, 31321-31324, 31366, 31368, 31374, 31377, 31380, 31381, 31397, 31579, 31582 (32165, 32168, 32172, 32174, 32175, 32179, 32180, 32183, 32186, 32188, 32190, 32191, 32202, 32240—these latter rolls contain only summaries of the issues).

These will be touched upon more fully below.

### ACCOMPTS OF VARIOUS OFFICERS OF MANORS.

Bibleham in Mayfield, 1417-1575. *Add. Rolls.*—31163-31240.

Burwash, 1406-1576. *Add. Rolls.*—31359-31403. Sometimes also entered with Bibleham (see above).

Crowhurst, 1416, 1417. *Add. Roll.*—31501.

Wartling, 1335-1400. *Add. Rolls.*—32721-32724.

To these must be added :

EXCHEQUER ACQUITTANCES FOR THE ISSUES OF THE RAPE, 1490-1706.

*Add. Rolls.*—30992-31057.

It must be understood that this arrangement of the rolls is no more exhaustive than the first. Rolls relating to one court may be found entered with another.

It is necessary to touch briefly on the nature of the above courts, their place and time of meeting, the officer who presided and the business transacted.

The sheriff's turn met under the sheriff of the county (? or his appointee) twice in the year within the fortnight after Easter and Michaelmas. Its usual place of meeting appears to have been Darvel, situate between Battle and Brightling.

The Last or Lathe court met every three weeks, presumably under the representative of the lord of the Rape. In *Add. Roll* 31593 (1453-1497) its description



## Description of the various Courts held in the Rape

runs, "Pleas of residents within the manors and chase or forest of Sir John Pelham in a last held, etc." It was convened at six different places: Hastings Castle, Brightling, Dallington, Darvel, Ewhurst, Salehurst, Sedlescombe, and Staple (between Ewhurst and Sedlescombe). In 42 rolls (1405-1625) it is held at least once at the Castle. It is noticeable that all the other places, unless Staple be an exception, were furnaces and centres of the iron-industry.

The hundred court was held from day to day in each hundred, in spring and autumn, apparently immediately preceding the sheriff's turn—the date was fixed roughly so many days on either side of Palm Sunday and St. Matthew's Day (Sept. 21st). The sheriff again presumably presided. There appears in certain cases to have been a close connection between the court for a hundred and a manor: for example, the rolls for Hawkesborough hundred and the manor of Burwash, and for Shiplake hundred and the manor of Laughton (these are in Pevensey Rape), are entered together.

The manorial courts were held at various times of the year, and met under the presidency of the steward of the lord.

The method and matter of the business of the four kinds of courts was, very briefly, as follows:—

In the sheriff's turn each hundred made presentments which were affirmed by a jury of twenty-four. They dealt chiefly with frank-pledge, the system by which all free men were bound to combine in associations of ten men or tithings, and be sureties for one another. These may be called personal tithings. In Southern England, however, the tithings were not personal but territorial, coincident with the township. The view of frank-pledge, the business of enforcing the system, properly belonged to the sheriff's turn, but was exercised by other courts. The agenda also included matters of local police, such as trespasses and nuisances, petty assaults, etc.

In the hundred courts the tithing-man of each tithing in a hundred made presentments, which were affirmed by a jury of twelve. The business is very similar to that of the sheriff's turn. It includes in some cases the keeping of the watch and the assize of bread and beer (the system by which the price of bread and beer was regulated by a tariff according to the price of wheat and barley), though the right of the assize of beer was very generally assumed by the manorial courts.

The last or lathe court corresponded to the great court of an Honour, and is called in the same way after the name of the lord. The business was recorded by hundreds—precepts were addressed to the alderman of the hundred or the bailiff of the Rape to distrain. It appears to deal chiefly with small debts, but cases of theft, trespass, fraud, illegal distraint, etc., are included.

In manorial courts the lord of the manor, according to the extent of his franchise, dealt both with view of frank-pledge and local affairs, and also with petty criminal offences.

In regard to the constitution of similar courts, much information may be gathered from *Select Pleas in Manorial Courts*, by F. W. Maitland (Selden Society vol. xi.), Introduction, etc.

Of the compotus rolls, those which come most properly within the scope of this work are the accompts of the receivers of the Rape. Appended is a rough translation of parts of *Add. Roll*, 31182, which contains accompts of each of the three receivers.

# The Compotus Rolls of the Rape

BEVELHAME (BIBLEHAM IN MAYFIELD).

Compotus of receiver, 1443-1444.

Arrears, £10 14s. 10½d.

## Receipts.

- 2s. 6d. Common fine of Bevelham (Bibleham) (= Payment by the residents on a manor for doing their suit to the manorial court, instead of to the sheriff's turn).
- 2s. 8d. Common fine of Burgersh (Burwash).
- 5s. 6d. Common fine of Hamerden (Hammerden in Ticehurst).
- 24s. Castle guard of Asshburnham (Ashburnham) 4 times in the year in the ward of Warbelton (Warbleton).
- 30s. Castle guard of Warbelton (Warbleton) manor in the ward of Warbelton (Warbleton).
- 79s. 7d. *Alba firma* (= Payment by the hundred, *alba firma* when paid in money not in kind) of the hundreds of Shoeswell (Shoyswell), Hawkesberghe (Hawkesborough), and Foxharle (Foxearle).
- 36s. Castle guard of Bevelhame (Bibleham) in the ward of Warbelton (Warbleton), 4 times in the year.
- 6s. 11½d. Castle guard of Hammerden (in Ticehurst) in the ward of Echyngham (Etchingham), 3 times in the year.
- 9s. Castle guard of Brickelherst (Bricklehurst in Wadhurst), in the ward of Echyngham (Etchingham), 3 times in the year.
- 18s. Castle guard of Passhele (Pashly in Ticehurst), in the ward of Echynghame (Etchingham), 3 times in the year.
- 4d. Rent of a piece of land at Tisherst (Ticeherst).
- 1d. Rent of a piece of land at Shobbe.
- 2d. Rent of a piece of land at Tisherst (Ticehurst).
- 1d. Rent of a piece of land at Tisherst (Ticehurst).

Total . . . £10 14s. 10½d.

## PERQUISITES OF LASTS AND HUNDREDS AND SUITS OF COURT.

- £7 9s. 4d. Perquisites of 17 lasts held there this year.
- £4 6s. 7d. Perquisites of the hundreds of Haukesberghe (Hawkesborough) and Shoeswell (Shoyswell), in this year.
- 8s. Fine for suit of court of the manors of Asshburnham (Ashburnham), Warbelton (Warbleton), Passhele (Pashley in Ticehurst) and Hamerden (Hammerden in Ticehurst) in the said hundreds.

Total . . . £12 3s. 11d.

Total of receipts with arrears, £33 13s. 7½d.

(Allowances and Salaries) To the sheriff of Sussex for *alba firma*, 66s.

To the receiver for his office, 13s. 4d.

## BURGHESH (BURWASH).

Compotus of receiver, 1443-1444.

Arrears, 69s. 7½d.

## Receipts.

- 51s. 9d. Castle guard of Echyngham (Etchingham) manor, 3 times in the year.
- 16½d. Castle guard of Iden in the ward of Farlegh (Fairlight), 3 times in the year.
- 43s. 9d. Castle guard of the manor of Nedderfelde (Netherfield in Battle) and Idyngton, 3 times in the year.
- 36s. Castle guard of Bodyhame (Bodiam) in the ward of Farlegh (Fairlight), 3 times in the year.
- 9s. Castle guard of Kechenore (Kitchenour in Beckley) manor in the ward of Farlegh (Fairlight), three times in the year.
- 9s. Castle guard of Morle (in Ewhurst, Brede, Beckley, etc.) manor, 3 times in the year.
- 15d. Common fine of Morle (in Ewhurst, etc.), manor.
- 77s. 3d. *Alba firma* of the hundreds of Henherst (Henhurst), Staple, Goldspore (Goldspur) and Nedderfelde (Netherfield).
- 8d. Rent of Elylond, not collected.

Total . . . £11 9s. 4½d.



# The Compotus Rolls of the Rape

## PERQUISITES OF LASTS AND HUNDREDS AND SUITS OF COURT.

- £4 3s. 11d. Perquisites of 17 lasts held therein this year in the said hundred.  
 39s. 1d. Perquisites of the said hundreds held there in the winter.  
 £4 7s. Perquisites of the said hundreds held there in the summer.  
 14s. Fine for suit of court of the manors of Echynghame (Etchingham), Nedderfeld (Neuen-  
 field), Kechenore (Kitchenour in Beckley), Mote (Moat in Iden), Knelle (in  
 Beckley), Bodyhame (Bodiam), and Ewherst (Ewhurst).

Total . . . £12 5s.

Total of receipts with arrears, £27 4s.

### Payments.

*Alba firma* paid to the sheriff of Sussex on behalf of the said four hundreds, 74s. 2d.  
 To the canons of the chapel of Hastings Castle, 39s. 4d. (among the fees and salaries).  
 Salary as accounting for the third part of the office of receiver, 13s. 4d.

### CROWHERST (CROWHURST).

Comptus of receiver, 1443-1444.

Arrears, 111s. 6½d.

### Receipts.

- 4s. 6d. Common fine of the manor of Filsham (in Hollington).  
 4d. Common fine of the manor of Cortle (or Cortesle), near Hastings.  
 6s. 5d. Common fine of the manor of Crowherst (Crowhurst).  
 13s. 6d. Castle guard of Crowherst (Crowhurst), 3 times in the year in the ward of Crowherst  
 (Crowhurst).  
 31s. Castle guard of Frensshcourt (? Frenches near Netherfield) in the ward of Farle (Fairlight),  
 3 times in the year.  
 9s. Castle guard of Gestlyng (Guestling) and Gensyng (? near Hastings), in the ward of Farle  
 (Fairlight), 3 times in the year.  
 18s. Castle guard of Iklesham (Icklesham) in the above ward (Fairlight), 3 times in the year.  
 36s. Castle guard of Wilytyng (Wilting in Hollington) in the ward of Wartlyng (Wartling), 3  
 times in the year.  
 4s. Fine for suit of court of Wilytyng (Wilting) and Morhale (in Ninfield).  
 59s. 10d. *Alba firma* of the hundreds of Gestlyng (Guestling), Baldeslowe (Baldslow) and Nether  
 field (Ninfield).  
 13s. 4d. Lastage (toll on landing goods) of Wynchelse (Winchelsea). Not collected.  
 5s. For the pier-dues of Buleworheth (Bulverhithe).  
 £8. For the farm of Codyng (? Couden).  
 54s. 6½d. For rents of assize.  
 4s. For the farm of La Donne.  
 8d. Rent of Elylond. Not collected.  
 8s. Rent of marsh.  
 6s. 8d. Rent of new marsh.  
 2d. Rent of a piece of land in Nevenfield (Ninfield).

Total . . . £21 os. 11½d.

## PERQUISITES OF HUNDREDS AND LASTS.

- 78s. 5d. Perquisites of 17 lasts in the said hundreds.  
 54s. 8d. Perquisites of the said hundreds held there in the winter.  
 46s. 4d. Perquisites of the same held there in the summer.  
 Total of receipts with arrears, £35 7s. 3d.

### Allowances and Salaries.

*Alba firma* paid to the sheriff of Sussex, 59s. 10d.  
 Salary as accounting for the third part of the Rape, 13s. 4d.

It will be apposite for comparison to close this chapter with a list of manors held of the Honour of Hastings by Castle guard, extracted from an inquisition

## The Tenure by Castle Guard

concerning the matter, dated July 28th, 3 Edward III., 1329 (*Add. MS.* 33189, f. 55). The sums are perhaps per time of service, not per annum.

- |  |  |
|--|--|
| 1. Warbelton (Warbleton), 7s. 6d.                  | 10. Bodiham (Bodiam), 12s.                   |
| 2. Hurst (Bricklehurst in Wadhurst), 7s. 6d.       | 11. Gestlingh (Guestling), 6s.               |
| 3. Bivilhame (Bibleham), 9s.                       | 12. Couehurst (Covehurst near Hastings), 9s. |
| 4. Eschebournehame (Ashburnham), 6s.               | 13. Nedderfeld (Netherfield in Battle), 6s.  |
| 5. Echinghame (Etchingham), 19s.                   | 14. Cuchenora (Kitchenour in Beckley), 3s.   |
| 6. Wiggesulle (in Salehurst), 5s.                  | 15. Morle (in Ewhurst, Brede, etc.), 3s.     |
| 7. Hamerden (Hammerden in Ticehurst),<br>11s. 3½d. | 16. Willelmus atte Felde, 9s.                |
| 8. Crowherst (Crowhurst), 4s. 6d.                  | 17. Aucellus atte Lee, 5s. 7d.               |
| 9. Farleghe (Fairlight), 9s. 9d.                   | 18. Wiltyng (Wilting), 9s.                   |

### CASTLE GUARD.

In most large castles it appears that there was regular castle-guard to be kept by certain persons in certain stations. The guard-room for this purpose was mostly situated within the castle gate.<sup>1</sup> Lord Coke (*Co. Litt.* 83), speaking of this custom of castle-guard or ward, tells us that the tenure was required to be certain, and that it was not sufficient to be in general words—to defend the castle—but that it was required to be to defend a tower, a door,<sup>2</sup> a bridge, a sconce, or some other certain part of the castle—whence we may conclude that rooms or seats like some described, when situated within the great gate, were annexed to the tenures of those persons who were bound by that species of knight's service, to defend that entrance to the castle: and so of similar recesses or rooms situated at other parts.

That this sort of guard existed here as early as the time of the Conqueror is evident from the principal manors in the rape being held under such tenure, to which they were no doubt subjected by Robert, Count of Eu, on his granting these infeudations to his tenants. Accordingly we find the castle-guards, on the Crown becoming possessed of this estate, granted by Henry III. as a principal appurtenance of the barony, to John of Brittany, under the name of "*les gardes du Chastell de Hastings*," and they continue to be mentioned in succeeding grants, not only while the Castle and Rape were vested in the Crown, but afterwards, until as late as the sale to Thomas Pelham (p. 323), under the names of "*warda castri*," "*reddit' pro custodia castri de Hastings*," the castle-guards, castle guard-rents, etc., by which latter denomination they are payable to the lord of the rape to this day.

Concerning the manner in which castle-guard was anciently kept, and the proportion of expense borne by the different tenants and places, we are furnished with the particulars in the two documents, Inquisition 8 Edward III., and Inquisition 13 Edward III. (pp. 13 and 19). According to the first of these it appears that the guard was kept in four wards or divisions, namely, Fairlight, Wartling, Warbleton, and Etchingham; each of which kept ward by turns for a month at a time, making together a term of four months or one-third of the year; after which they repeated their watch in the same order, so that the four wards completed in

<sup>1</sup> The recesses for the warders were to protect them against bad and cold weather, after the manner of our modern sentry-boxes.

<sup>2</sup> In the Confirmation Charter to the College Church (see *ante* p. 59) there is mentioned "*the postern of Wiggesell*," which may mean a postern in the castle defended by the castle-ward of Wiggesell (Salehurst), that is, if the author's identification of *Yeshetha* as Ewehurst is incorrect (?)



## Castle Guard Rents, 18th Century

the year a triple guard of four months, or, as it is called, of sixteen weeks, at each of the three terms, or were rated in lieu of such duty the sums there set down.<sup>1</sup>

Of the rent here mentioned, we learn from the Inquisition, that though regularly exacted by the lord or his agents, from the time of the grant made *anno* 53 Henry III. down to the reign of Edward III., no part had been applied towards the payment of those who performed the duty of keeping castle-guard: nor could the jury learn whether the lord was compelled, according to the terms of his tenure, so to apply it—"say that the late King Henry granted the Honour and Rape of Hastings, and also the castle-guards to John of Britanny: and that he had since received from the said manors the said rents of 16 weeks in 16 weeks, but had made no ward therefore: nor could they learn whether he ought to apply any part thereof, for such purpose, etc." (*Inquisition*, 13 Edward III.).

*Anno* 5 Edward II. Matthew de Hasting was found on Inquisition to hold two knights' fees at Neddresend of John of Britanny, by doing suit there at the court of the said John, and paying 31s. castle-guard at Hastings (*Inquisition*, No. 7).

Judging from the above and other documents, there seems to have been a slight variation in the annual amount of the castle guard-rents at different periods.

The following may be ranked under the head of services:—

9 Edward IV. John Finch held Neddresend by knight's service at Hastings Castle.

29 Edward III. Reginald Alured owned 20 acres of land, held of the manor of Frenchcourt by the service of a *scutage* at Hastings Castle.

The difference of the amount of the castle guard-rent in ancient and modern times will be seen from the following:—

### RENTALL OF CASTLE GUARD-RENTS DUE TO HIS GRACE THOMAS, DUKE OF NEWCASTLE, FOR SEVERAL MANORS AND DEMESNE LANDS WITHIN THE RAPE OF HASTINGS (LATE 18TH CENTURY).

	£	s.	d.
William Robinson Lytton, Esq., for the manor and demesne of Etchingham cum Salehurst . . . . .		1	10 0
— Brewer, Esq., for the manor of Ticehurst . . . . .		1	0 0
Do. more every Leap Year . . . . .		0	4 6
Richard Harcourt, Esq., for the manor and demesnes of Wigsil in Salehurst . . . . .		0	11 6
Do. more every Leap Year . . . . .		0	1 3
John Nicholl, Esq., for the manor and demesnes of Mundifeld . . . . .		0	16 0
Do. more every Leap Year . . . . .		0	2 0
Sir Whistler Webster, for the manor of Bodyham . . . . .		0	10 0
Do. more every Leap Year . . . . .		0	6 0
Earl of Halifax, for part of the demesne of Bodiam . . . . .		0	4 6
Mr. Stephen Surjer, for the other part of ditto . . . . .		0	4 6
Richard Righton, Esq., for the manor and demesnes of Glottingham in Mounthfield . . . . .		0	4 6
Do. more every Leap Year . . . . .		0	2 3
Sir William Ashburnham, Bart., for the manor of Frenchcourt in Guestling . . . . .		1	11 0
Jonathan Stevens, for the demesnes . . . . .		0	7 9
Henry Pelham, Esq., for the manor and demesnes of Wilting in Hollington . . . . .		1	11 0
Earl of Thanet, for the manor of Kitchnore in Beckley . . . . .		0	9 0
Arnold Nesbitt, Esq., for the manor and demesne of Icklesham . . . . .		0	18 0

<sup>1</sup> The Inquisition of John (see ante) mentions that it was kept monthly with fifteen knights who, besides the Castle itself, were bound likewise to keep the Castle bridges.

# The Pound and Courts of the Rape

	£	s.	d.
Earl of Northampton, for the Hundred of Godstrow . . . . .	0	6	8
Sir John Shelly, Bart., for the manor and demesne of Knell in Beckley . . . . .	0	9	0
Do. more every Leap Year . . . . .	0	2	3
John Caryll, Esq., for the manor and demesne of Ore . . . . .	0	2	6
Sir Charles Eversfield, Bart., for Bulverhithe . . . . .	0	7	6
Mrs. Mary Peckham, for part of the manor and demesnes of Moor-hall . . . . .	0	1	1
The trustees of William Warrell, for other part of the said manor and demesne . . . . .	0	3	2
The Earl of Ashburnham, for the manor and demesnes of Ashburnham . . . . .	0	13	4
Do. more every Leap Year . . . . .	0	2	8
Mary Goodyer, for part of the manor and demesnes of Baldeslowe . . . . .	0	2	0
Thomas Gott, Esq., for other part of the said manor and demesnes called Maplehurst . . . . .	0	0	4
Total	£13	4	3

## KEEPING COURTS, ETC.

The keeping of the Lath and other courts within the Castle, as also the having of a pound therein, and impounding of cattle, are customs about which the following particulars are given in certain Chancery depositions dated 1575:—<sup>1</sup>

Philip Stoakes, a witness, aged — years, "Had knowen cattell ympounded within the said Castell walles, and had ympounded cattell therein himself," and said, "That yt was toulde him that it was the lawfullest pounce for the Rape of Hastinge, and hearde yt comonly called 'The Lord's Pounce of the Rape of Hastinge.' Hathe also hearde that the Lath Court was yearlie kepte theare."

William Bishop, another witness, "Had hearde that cattell of the inhabitants within the Rape of Hastings were impounded within the said Castell, and had hearde it commonly called 'The Earl of Huntingdon's Pounce.' And the steward of the plaintiff (Lord Huntingdon) made the replevins: and the baylief made the retornes into the Courte—and was movid so to thinke, for that he himself had often been attorney in the Earl of Huntingdon's Courte, and had seen the baylief put in divers retornes of the replevins. Had also knowen the Lathe Courte kepte seven and twentye yeres since (in 1548) once or twice a yere within the walles by the space of twentye yeres together."

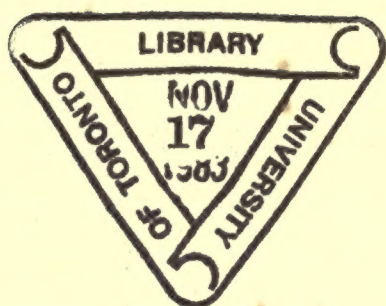
George Porter "Had knowen cattell usually ympounded within the same castell, for since the time of the dissolution of the college theare, he being fermour unto the defendant (Lord Montague) had received them and ympounded them in all the grounde within these walles: and as he had harde yt was used before in the tyme of the deanerye—which cattell were taken of the inhabitants of the rape of Hastinge: and thought the poundage did belong to the baylief of Hastinge Rape, but what comoditie he received from yt he knew not. Had also known yt called by the name of 'Huntingdon Pounce': and the aldermen of the severall hundreds where the cattell were taken did usually replevin the distresses soe taken. Also knew that the Lathe Courte had by the space of these fourtye yeres, or thereabouts, bin yerely kepte within the said Castell, etc." And lastly—

Thomas Respisse "oftentymes knew cattell taken within the Rape of Hastinge, aboute foure and twentye yeres agone, and oftentymes since, and ympounded within the walles of the said castell: and that they have paid foure pence for the poundage to Mr. Porter (the last witness) whoe kepte the key: and yt had bin ever since his remembrance, whiche had byn aboute thirtie yeres, called 'The Heade Rape Pounce' and the 'Earle of Huntingdon's Pounce'; and that the complaynante's (Earl of Huntingdon) officers granted the replevinge or the distresses there ympounded. He likewise knew the Lathe Courte for the Rape of Hastinge kepte wythin the walles of the said Castell, by the complaynant's officers, by the space of twentye yeres paste, and oftentymes since: and deponent was alderman of Baldslowe hundred, and oftentymes came to the courte holden within the said Castell."

<sup>1</sup> Copy depositions in a suit between Henry Earl of Huntingdon *versus* Anthony Viscount Montague respecting the dissolved College of St. Mary in the Castle at Hastings formerly among the Pelham records. The Bill and answer in Chancery have not been found among the records of the Court. The date of the suit is uncertain (perhaps 1587-88? C.D.).









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